

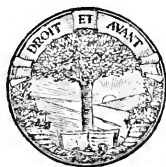






THE LIFE
OF
CHARLES JARED INGERSOLL

BY HIS GRANDSON
WILLIAM M. MEIGS
II



PHILADELPHIA
J. B. LIPPINCOTT COMPANY
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WILLIAM M. MEIGS.

PREFACE.

THE life of Charles Jared Ingersoll should have been written thirty years ago. Not only would the writer at that time have had the great advantage of being able to secure those anecdotes and personal reminiscences which so largely make up the interest of biography; but, in addition to this, Mr. Ingersoll's name was then well known to all observers of public affairs, and there would thus have been a large number of people interested to know more of him. Of course, in the long stretch of years since his death, the vast majority of these have died; and the period has, moreover, been filled with events of stupendous importance which have had the result of greatly changing the whole prevailing view of the history of his time. I know well that the generally accepted view to-day will disagree with not a little contained in the following book, as well as with no small portion of Mr. Ingersoll's political beliefs, but I trust that the time is near at hand when at least a patient hearing can be had. I have never been able to believe that Clay and Webster and that vast majority of our public

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men before the civil war who consistently opposed the agitation of slavery were so hopelessly depraved as some modern writers would have us believe. For my purpose it is not necessary to defend the institution of slavery, and I certainly have no intention to do so, as I utterly disapprove of it; but it does not follow from its being a bad and thoroughly harmful system that those men were right in their day and generation who so persistently agitated against it, with an utter disregard of and contempt for the preservation of the Union. But I must leave my text to speak for itself.

Whatever may be the final verdict of history upon all these questions, it cannot be doubted that the subject of this biography had a material influence upon the development of the American character and institutions. Well known from his writings as an ardent admirer of his country and his countrymen, long before that view had come to be accepted, he was also one of the earliest advocates of the Second War with England, and was a leading man in Congress during the War of 1812 and again from 1841 to 1849, as well as a leading lawyer in Philadelphia for over thirty years. A biography of such a man should exist; and, as none had heretofore been written, I took the subject up a few years ago. I began by making every effort to find persons still surviving who could furnish personal reminiscences of Mr. Inger-

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soll; but, as he withdrew from public life nearly half a century ago, my success in this way was but slight. I had, therefore, to turn to the public records and to private papers. A large mass of private letters was placed in my hands by Charles Edward Ingersoll, Esq., and some by Sydney George Fisher, Esq.; I am also under obligations to Judge Craig Biddle for letters of Mr. Ingersoll to Nicholas Biddle, to the late Miss Susan Dallas for some to Alexander J. Dallas, and to Mrs. Richard A. Gilpin for some to Henry D. Gilpin.

All of these I have gone over with care and have extracted a good deal from them. The large majority are, unfortunately, letters *to* Mr. Ingersoll, and I have seen comparatively few written by him. This is much to be regretted, for his letters are in general full of interest and instruction, as well as very vivacious. I have reproduced some of them, and have also reproduced at length in Chapter IV. a diary which he kept during a visit to Washington in 1823. This latter was written for the purpose of sending to Mr. Rush in England, and gives an extremely interesting picture of the social life and political struggles of the day. The student of history and observer of mankind will certainly find both pleasure and profit in the intimate view the diary and his letters in general give of the great men and events of a past generation.

I have reproduced two portraits of Mr. Inger-

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soll. That one which represents him as a very young man is from a miniature owned by Sydney George Fisher, Esq., and is thought to have been painted when he was about nineteen years of age. The other is from a portrait owned by Charles Edward Ingersoll, Esq., which was painted in 1839.

I have put all mere authorities in one place in the end of the book, and have referred to them by numbers.

WILLIAM M. MEIGS.

PHILADELPHIA, 1897.

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THE LIFE
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CHAPTER I.

The Ingersoll Family—Jared Ingersoll the Elder, Colonial Agent from Connecticut—The Stamp Act and the Revolution—Jared Ingersoll the Younger, a Leading Lawyer in Philadelphia.

THE Ingersolls of America are, I believe, all descended from two brothers, John and Richard Ingersoll, who came to Massachusetts from Bedfordshire, England, in 1629. John, the ancestor of the branch with which I have to do, was the younger of the brothers, and was born in England in 1615. He lived under his brother's protection at Salem for a time, but moved to Hartford, Connecticut, after his brother's death in 1644. In 1655 he moved to Northampton, Massachusetts, and about 1665 settled in Westfield, Massachusetts, where he apparently remained the rest of his life, and where he died September 3, 1684. He was

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three times married, and had fifteen children, of whom thirteen were living at his death. Jonathan Ingersoll, his fifteenth child, and the progenitor of the Philadelphia branch of the family, was born May 10, 1681, and was the child of the third wife, Mary Hunt; she was the daughter of Mary Webster, whose father, John Webster, was one of the first settlers of Hartford, and the fifth governor of the Colony of Connecticut. Jonathan Ingersoll was a joiner, and lived at Milford, Connecticut, in 1698. He had six children, among whom was Jared, born June 3, 1722.¹

Jared Ingersoll graduated at Yale College in 1742, and became a distinguished lawyer of Connecticut. In 1759 he was sent to England as agent for the Colony of Connecticut, and wrote home some interesting letters giving his impressions of the country and of Pitt and other distinguished men. He chanced to be in the House of Commons at the time when Colonel Barré made his well-known reply to Charles Townshend, and it is to his report that we owe the preservation of this brilliant burst of oratory. Townshend, in replying to Barré, had said,—

“And now, will these American children, planted by our care, nourished up to strength and opulence by our indulgence, and protected by our arms, grudge to contribute their mite?”

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Barré, who had been the friend of Wolfe, and had taken part in the captures of Louisbourg and Quebec, arose at once and said,—

"They planted by YOUR care! No; your oppression planted them in America. They fled from your tyranny to a then uncultivated, unhospitable country. . . . *They nourished up by YOUR indulgence!* They grew by your neglect of them. . . . *They protected by YOUR arms!* They have nobly taken up arms in your defence; have exerted a valor, amid their constant and laborious industry, for the defence of a country whose frontier was drenched in blood, while its interior departments yielded all its little savings to your emolument. And believe me—remember I this day told you so—the same spirit of freedom which actuated that people at first will accompany them still. . . ."

In the course of his outburst, Barré applied to the colonists the term "sons of liberty," and all this Mr. Ingersoll reported and sent home. Here it found its way into a newspaper in New London, and soon spread over the country, while every household rang with the inspiring name, "Sons of Liberty."

In common with Franklin and other colonists in England, Mr. Ingersoll opposed strongly the Stamp Act, but neither he nor his associates seem to have appreciated the intense feeling in the Colonies upon the subject. So complete, indeed, was their ignorance upon this point that, after the act's passage, Mr. Ingersoll even accepted, with

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Franklin's advice, a commission from the crown as Stamp-Master-General for the New England Colonies. With this document in his possession, he returned home, and arrived at Boston in 1765. But he soon learned that during his absence the spirit of opposition to the British claims had risen to mountain height, and that, from one end of the Colonies to the other, the people were determined not to pay the tax.

In his own home in New Haven efforts were at once made to induce him to give up the office, and in town meeting he was "earnestly desired to resign his stamp office immediately." He expressed a lawyer's doubts whether there was any one to resign to, and discussed the subject, but did not do as was desired. Soon threats were made of injury to him and his property, and he then decided to go to Hartford and submit the subject to the Legislature. But the people learned of his plan, and he had got only as far as Wethersfield upon his journey, in company with Governor Fitch, when he was met by a crowd of irregularly armed people, drawn up in military array, who were determined that the question should *not* be submitted to the Legislature. They well knew, what he also knew, that that body would be much slower to risk an open breach with the authority of the crown than was their own unorganized and irresponsible crowd or mob. In the main street of

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Wethersfield, therefore, the parley was held, and he and the mob of his fellow-citizens discussed for some hours whether he should resign or not. Neither was convinced, but the crowd grew impatient and threatening; and at length Mr. Ingersoll, saying, "The cause is not worth dying for," signed a resignation of the office, which purported to be his own free act. He was then urged to swear to this, but refused to do so, and finally the meeting broke up, after he had cheered three times for "Liberty and Property." He is said upon this occasion to have been mounted upon a gray horse, and to have remarked that he was like Death in Revelation, mounted on a pale horse, with Hell at his heels.

Though Mr. Ingersoll was not at any time in active opposition to the colonists, yet it is needless to say that after such an occurrence as has been narrated his career as a public man of distinction was at an end; and it is a curious instance of how easily the chances of life may sometimes ruin a man. Separated for a long time from his country, and necessarily unacquainted with the state of its public feeling, nothing was more natural than that he should make his ill-starred decision to accept the stamp office, and a high-spirited man would then hesitate to throw it aside because it turned out to be unpopular. Possibly the most curious point in the matter is that in accepting the office

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he had acted upon the advice of Franklin, who deservedly ranks as an ardent supporter of the patriot cause.

In 1766 Mr. Ingersoll published a pamphlet on the "Stamp Act," and in 1770 was appointed Admiralty Judge of the Middle District, and resided for some years in Philadelphia. Here he was looked upon with suspicion as a tory; and he returned later to New Haven, and died there in August, 1781. He had married Hannah Whiting, and had by her two children, James and Jared, the latter of whom was born in New Haven, October 24, 1749.²

Jared Ingersoll the younger graduated at Yale College in 1766, and in 1774 was sent by his father to London to complete his education as a lawyer. There, at the Middle Temple, while the war was hastening to its outbreak at home, he studied law under the great legal lights of the day, and it may be assumed from his later character that the years were to him years of hard and devoted study. He did not, however, confine himself exclusively to the study of his profession, but took an active interest in literature and in society, and formed many acquaintances. His son has written of him that "Mansfield, Blackstone, Chatham, Garrick, and other luminaries of that period were objects of his constant attention, and of his correspondence, and ever after among the pleasures of his memory."

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And Mr. Binney tells us that during the summers Mr. Ingersoll lived in the country, ten miles from his place of study, and often daily made the distance both ways on foot. This writer also intimates that the father had sent him to London in part to get him away from an atmosphere where arms and rebellion were more talked of than law. Whether this be so or not, the son none the less espoused the war when it broke out, and left London for Paris about the time of the Declaration of Independence. He passed a year and a half in that capital, was kindly welcomed at Passy by his father's friend Franklin, and knew well Ralph Izard, John Julius Pringle, and other distinguished Americans from various parts of the country. His son writes that these acquaintances had a marked influence in freeing his mind from exclusively Eastern prejudice and in giving him feelings of a broad nationalism.

During Mr. Ingersoll's residence in London he had corresponded with Joseph Reed, of Pennsylvania, who had been in London with Ingersoll's father during the Stamp Act days, and it seems that Reed had advised him to settle in Philadelphia, on the ground that there was then a very promising opening there for a lawyer of talent. It was probably with a view to settling in this new home that he sailed for America in the autumn of 1778 in an American letter of marque, which, he was

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heard to say, came much of the way under water, with a full press of sail, to avoid disagreeable interviews. He arrived at home towards the latter part of 1778, and soon moved to Philadelphia, where he was admitted to the bar in January, 1779, at the age of twenty-nine years.

In his new home he does not seem to have received much aid from Mr. Reed, who had recently been elected to the Presidency of the State and rather removed from the bar. Moreover, the politics of Pennsylvania were then in such a condition as to render it difficult, if not impossible, for the President to aid his young friend. All the lawyers of any considerable ability, Reed wrote, were against the popular side; and he warned young Ingersoll to beware of taking much part in politics or disclosing his sentiments freely. But Mr. Ingersoll needed no one's aid, and soon showed such capacities as placed him in time in the van of a bar crowded with distinguished men. Mr. Binney, who had been his pupil, and was later repeatedly associated with him, writes that he was a very sound and well-read lawyer and a most consummate advocate. Though his power with a court was very great, his special forte was with a jury, and the same distinguished writer regards him as having been "without comparison the most efficient manager of an important jury trial among all the able men who were then at the bar

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in Philadelphia." Errors he never made in the conduct of his cases, for care and precision in everything were salient points in his character, and he always studied his case most carefully and prepared elaborate briefs. During the preparation of these papers he would constantly interrupt his writing at his desk by getting up and walking about the office, now and then stopping and shaking his head, or holding out a hand, as he probably suggested to himself the answer of his opponent, and then once more resuming his writing. The result was a complete mastery of every detail of the case; so complete, indeed, that the written brief *seemed* of no use, and he would but rarely refer to it at the trial, in order to refresh his memory.

"His oratory," Mr. Binney says, "was of a very high order, . . . clear, earnest, logically connected, rarely or never rising to the highest flights, but always on the wing. . . . He never stumbled upon an awkward phrase, nor said a bitter thing, nor uttered a pointless expression, nor began a sentence before the thought was ready for it and the language for the thought. He was not voluble nor rapid. His words did not interfere with each other; nor, in any height of excitement, did his voice bray, nor his arms lash the air, nor his foot explode upon the floor. Neither was he hesitating or slow, as if he was inquiring for the next word, nor monotonous, as if he was reading from a stereotyped memory. But, with just the proper tone and measure, rising sufficiently above the natural

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key of conversation to give something like air or rhythm to his language, and speaking as from his brain and not from his brief, he proceeded, with proper pauses and variations of time, from beginning to end, without a single break-down or trip in word or thought. . . . It was impossible for any one to be more clear and intelligible in the whole design of his speech, and in every phrase of it ; and equally impossible, in any part of it, to detect an instance or occasion in which temper, dignity, manliness of carriage, or gentlemanliness of manner had been either forgotten or studiously remembered by him, so natural and habitual were those observances with him. . . . Woe be-tided," continues Mr. Binney, "the adversary that took a false position, or used an illogical argument, or misstated a fact against him. . . . He fastened upon the mistake with the grasp of death, and would repeat and reiterate and multiply his assaults upon it, until there did not remain a shadow of excuse for the blunder."

The same writer tells us that Mr. Ingersoll had in a very marked degree a peculiarity which is not uncommon, and which he describes as the active and passive states of mind. During the latter his thoughts did not work rapidly, and he missed the bearing of points even of importance. This was particularly to be noticed in his hours of cold study without excitement ; but when he was in any way excited, and always in court or under opposition, his mind flashed into activity, and every faculty worked in harmony.

With such marked capacities for the duties of a lawyer, it was natural that Mr. Ingersoll should

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devote himself mainly to the practice of his profession, and he did labor at it most assiduously. He writes to his son on one occasion, as if it were nothing very unusual, that he had already worked ten hours that day, and expected to work for two or three more. It thus took up most of his time, and he did not have much left for other duties. During the Revolution he was once named aide-de-camp to the Governor during some expected military movements, and in 1780-81 he was a delegate to Congress; in 1790 he served in the Common Council of Philadelphia, and in 1814-15 was a member of the Committee of Defence of Philadelphia. He was also a member of the Convention of 1787 which framed the United States Constitution, and was the candidate for Vice-President on the Federal ticket in 1812. The positions of a legal nature which he held were numerous. He was City Solicitor, United States District Attorney, Attorney-General of Pennsylvania from 1791 to 1800 and from 1811 to 1816, and President Judge of the District Court of Philadelphia from March, 1821, until his death. He was also appointed, but declined to serve, as Chief Judge of the United States Circuit Court for the Eastern District of Pennsylvania in 1801. This was one of the appointments commonly known as "midnight judges."

In politics Mr. Ingersoll was a man of moderate

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beliefs, conservative, and generally disinclined to change. He kept largely aloof from the burning political passions of his time, having no taste for them and disapproving them. He wrote on one occasion that he was a believer in a representative democracy, but the details of his opinions have not survived. An admirer of a central government possessing a good deal of power, he was an earnest advocate of the Constitution, as well as one of its framers, as a means of uniting the discordant elements of the country into one nation; and, though he probably by no means approved the extreme steps of the Federalists, yet he was far more nearly in accord with that party than with the Republicans. Mr. Binney writes of him that, after the great "subversion in 1801," he was rarely found on the side of the majority in Pennsylvania.

Personally he was most courteous and considerate, and full of the air of good breeding and manners, but rather reserved, not very fond of the world of society, and with but few intimates. Of fair height and very straight, with the dignified manners of an age that was nearly spent, he left on many the impression of an early military education, while some thought him cold and rather proud. He had, indeed, grown to manhood and his character and beliefs had become formed before the social changes of the Revolutionary period; nor did his beliefs apparently

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change much with the times, and he remained to the end a good deal tinctured with the strongly marked class distinctions of what Mr. Binney calls the "pre-democratic age." He habitually wore a full suit of black, or of light brown or drab in the warm season, with knee-breeches and shoes, and adhered to hair-powder and a cue long after others had abandoned those picturesque but troublesome appendages. In his own family circle he was kindness itself, and, even when oppressed with business, would endure interruptions and small oppressions from his young children.

In his latter years his financial affairs were a good deal straitened, partly, I think, from burdens he had to assume for some not very near connections, and also from large purchases of real estate in unsettled regions; and he died a poor man, though narrowly missing great wealth from coal lands. He was always a man of the purest and highest honor and probity, and these qualities seem to have been put to some severe test, known to Mr. Binney, but not to the world generally. He was a Presbyterian, and in full communion with that church. He had married Elizabeth Pettit, daughter of Colonel Charles Pettit, on December 6, 1781, and had four children,—Charles Jared, Harry, Joseph Reed, and Edward. He died in Philadelphia, October 31, 1822, leaving his widow and all their children, except Harry, surviving him.³

CHAPTER II.

Birth—Boyhood and Youth—College—Political Passions of the Time—"Edwy and Elgiva"—Admitted to the Bar—Goes to Europe—Marriage—Politics—"Rights and Wrongs"—"Inchiquin"—Early Political Views and Development—Politics of the Period—War of 1812—Elected to the Thirteenth Congress.

CHARLES JARED INGERSOLL, the eldest child of Jared Ingersoll and Elizabeth Pettit, was born in Philadelphia, October 3, 1782. His earliest recollection of any public event seems to have been of Franklin's funeral in 1790, but I have not learned much of his earlier years, and even the school he went to is unknown. Among his schoolmates and the playmates of his boyish days were Philip Hamilton, Alexander Hamilton's son; Albanus Logan, the son of George Logan; Richard Rush; and George W. P. Custis, Mrs. Washington's grandson. Philip Hamilton—destined later to meet death in a duel, as his father had done—seems to have been an especial intimate, and young Ingersoll was frequently at the Hamilton house, both in the city and on the Germantown Road.

On one occasion the Custis boy took him to the Presidential residence, to witness the ceremony of smoking the pipe of peace by Washington and

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some of his cabinet and some Indians; and on another occasion he dined at the Presidential table, when there seems to have been left on his memory an impression of a dignity and decorum which were positively appalling. The grandeur of Washington going to church, and again going out to drive in his coach and six with several servants in showy liveries, were other sights of boyhood which were deeply impressed upon him. And he once saw him delivering an address in Congress, when the personal dignity and grandeur of the man stood out in fine relief. With the members of government and leaders of political events generally Mr. Ingersoll's father was well acquainted, and the son has left in his "Recollections" many interesting and instructive views of them. He has written that Mifflin, McKean, Dallas, Rush, and Logan were often at his father's house at a time when he was still too young to understand the objections they made to some of Hamilton's financial measures; and in another place he tells us that Ellsworth, Hillhouse, Baldwin, and other New England lights were also occasionally made welcome. From all these fountains of political knowledge he must have drunk deep. It is worthy of note also, as one of the facts surrounding his boyhood and youth, that his father kept up some of the New England customs, and regularly had a codfish dinner once a week.

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He was concerned as a mere boy in electioneering in some way at a Congressional election, the date of which I have not been able to fix, and had vividly fixed in his memory—as almost his first experience of public affairs—the proceedings at the meeting held in Independence Square, July 23, 1795, to denounce Jay's Treaty. His father, who had refused to serve upon the committee for the meeting, lived near the square, and the son witnessed the gathering of the throng, and later joined it with his brother and George Clymer, and listened with greedy delight to the first stump speech he had ever heard. And what a speech it was that impressed itself on the boy's memory! There were probably other orators upon this occasion, but *the* speech of the evening to our trio of embryo statesmen was made by the well-known and highly respected citizen, Blair McClenachan. A man well on in years, full of gout, and with legs as big at the ankle as at the knee, he hobbled about, Mr. Ingersoll tells us, in a very lame fashion, with the aid of a cane, and was helped up to the chair or table which took the place of a platform. Then he began his speech in a hoarse and jerking manner and brandishing his cane, without the smallest semblance of oratorical method, but with his red face and indignant motion all so plainly proclaiming his earnestness of purpose that his audience applauded him to the echo. The portion of this

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speech which impressed itself deeply on young Ingersoll's recollection was the words, "Let us all join, then, fellow-citizens, and kick this d—d treaty to h—ll!" Later he watched the crowd cross the square and burn the treaty in effigy before the doors of the British minister.

At about this time Mr. Ingersoll was studying under a private tutor, Mr. Hobson, and was studying French with a M. La Grange, but in 1796 he matriculated as a Freshman at Princeton College, rather against his father's wishes, who preferred that the boy should wait a year or so longer. Among his associates here was again Richard Rush, and for class-mates and room-mates he had at different times John Forsyth and William Alston, whose brother Joseph married Theodosia Burr. Letters to his father from some of the professors show that they were much struck with his quickness in learning; but he was still very young, was rather lacking in application, and his youthful spirits were at times too strong to bear the restraints of college discipline. His father, on the contrary, was a man whose very essence was method and decorum, and he repeatedly urged upon his son* precision in

* Mr. Ingersoll's brother said in his latter years that while he was at college almost every letter he received from his father wound up with the words, "Remember the honors."

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everything and the avoidance of any explosions of youthful merriment. As is usual, however, the boy's own character had to be his main guide, and he went on showing marked talents, but not the persistent application to his studies which his father thought needful, and occasionally falling into difficulty with the authorities. Finally, in his Junior year, some trouble of this kind occurred, and Mr. Ingersoll left the college at his own request, with a certificate that he was "under no collegiate censure." His father knew of the trouble in question, and thought the authorities had acted unwisely. He made the boy decide for himself whether to stay or ask to be dismissed.

The three years so passed at college were very important ones to Mr. Ingersoll as well as to the public affairs of the country. Not only had he during them fixed upon the law as his profession, but his mind had already shown a strong bent for politics, and his father wrote him quite a series of letters upon the Federal Constitution and expounding parts of it. A good many of the letters they exchanged were in French. The political tempests of the day raged with fury at the college, and Mr. Ingersoll and his father frequently corresponded upon public events. These were the years when the country was so near to drifting into open war with France, and the son evidently shared all the burning passions which then pre-

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vailed so generally against that country. He was himself a subscriber to Carey's *Democratic Journal*, but Fenno's *Gazette of the United States* was sent him by his father; and with this paper before him, and with the strongly Federal inclinations general at Princeton, it was almost unavoidable that the boy should be swept along with the intense patriotic passions of the day. He tells us how great a disappointment it was to him at the time that he was too young and too small for his age to wear a sword or an epaulet, or even the black cockade which many wore in their hats, at Cobbett's suggestion, as a mark of their anti-Gallican sympathies.

Being thus out of college, Mr. Ingersoll studied under private tutors again for some years. In the summer of 1800 he made a trip with Joseph Alston in the latter's curricule as far as Boston. At New York they were much at the Burr house, and Alston engaged himself to Theodosia Burr, whom he shortly married. The trip was made under very favorable auspices, for both of the travellers were of the best society, and Mr. Ingersoll's father had doubtless given them letters to many eminent people. Mr. Ingersoll tells us that they travelled in an open English curricule, attended by two black servants in sky-blue liveries. Some of the events of the trip he described in verse to his father, but these have, unfortunately, been lost.

At about this time he wrote a tragedy, founded

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upon the story of Edwy and Elgiva, which was produced at the "New Theatre" in Philadelphia. This was certainly a remarkable production for a youth of eighteen years. It was reviewed favorably by the *Portfolio*, the literary authority of the day, which quoted from it the following verses, spoken by Edwy in the last act:

"I should, methinks, the rather joy than grieve.
The hour of retribution now draws nigh,
And I have sworn to heav'n never to sleep
Till I repose beneath the laurel's shade
Or Death's dark canopy."

A prologue and epilogue were also printed in the same paper, and the issue of April 18 wrote,—

"After a short suspension of theatrical labours, the company rose, with renovated vigour, to the performance of Edwy and Elgiva. This tragedy, new, American, and the first-born of a muse in her teens, excited great expectation, invited a numerous and fashionable band, and was received in a most urbane and candid manner. From formidable rows of critics, the youthful author listened to no bitter or malign remarks, and

'The bursting plaudit, and the lifted hand,'
frequently and loudly expressed the good humour and approbation of the house."

The theatre at which this piece was produced was a leading one in Philadelphia, and among the plays produced there at about the same time were "Much Ado about Nothing," "The Heir-at-Law,"

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"The Merry Wives of Windsor," "The Point of Honor," "The Tempest," and "The Merchant of Venice."

In the same year Mr. Ingersoll contributed to the *Portfolio* (September 15) a poem entitled "Chiomara," founded upon the story of a German princess who successfully defended her honor from her Roman captor, and, as has already been said, he described in verse some events of his trip to Boston with Alston, but I do not know of any other essay of his of a poetic nature until a much later period of his life. He was also at the same time studying law, and was admitted to the Philadelphia bar on June 8, 1802, when not yet twenty years of age. He had wanted to go to South Carolina, to study under Mr. de Saussure, who had read law in Philadelphia as a student of Jared Ingersoll, and who later became the celebrated Chancellor, but Mr. Ingersoll's father entirely disapproved of this plan.

Soon after his admission to the bar he went to Europe, going out in the same vessel with Alexander Baring, and arriving in London probably in July. He there joined Mr. King, the American minister,—I think merely as a friend and in no official capacity,—and in August made a tour with him and his wife and a friend on the Continent. Part of the way they travelled on a canal-boat drawn by horses, but generally Mr. and Mrs.

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King were in an English chariot and Mr. Ingersoll and the friend in a Flemish cabriolet, while a courier and a mulatto servant rode ahead on horses; but Mr. Ingersoll very generally exchanged places with one of the latter, and thus travelled much of the distance on horseback. They visited Rotterdam, Amsterdam, the Hague, Antwerp, Brussels, Ghent, Liège, Aix-la-Chapelle, Cologne, Spa, Frankfort, Mannheim, Basle, Geneva, Lausanne, and Paris. At Geneva he called with a letter of introduction upon Madame de Staël, in Paris upon the lady who figures in the X Y Z correspondence, and in England he had called upon Lord Erskine and upon William Cobbett.

In Paris he found much to interest him, and of course had very great advantages from his association with Mr. King, seeing far more of French society than was usual with foreigners. The time of his visit, too, was one of importance: not only were the powers already very restive under the Peace of Amiens, but Mr. Livingston was deeply engaged in the negotiations which led to our purchase of Louisiana,—a fact, however, of which Mr. Ingersoll knew nothing. He evidently made the best of his time, and saw a great deal which deeply impressed him, and some of which he reproduced in an oration many years later. Bonaparte he saw at the head of his troops, on one of the review days, surrounded by all the

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brilliant troop of his marshals, and decorating a soldier called from the ranks for the purpose, and he was deeply impressed with all the exulting and triumphant scenes then enacting in the new republic. Shortly before he left, too, he witnessed a sudden and apparently causeless arrest by a file of soldiers,—a scene well calculated to call his mind back from too great admiration of the French system.

Probably about the middle of November, 1802, he returned to England with Mr. King, and here again he fell upon events which seem to have deeply impressed him and to have helped to shatter that exclusive admiration for English government in which he had probably been educated. Just about the time of his return, Colonel Despard* was arrested and tried, and later executed, under the charge of a treasonable plot, of which a modern British authority has said, "The whole

* In a speech in the Pennsylvania Constitutional Convention of 1837, Mr. Ingersoll narrated how horrified he was, upon saying to Mr. King that he thought it very hard that Colonel Despard should be executed for treason upon such light proof as had been brought against him, to hear Mr. King answer, "My dear young friend, you know very little of England, and have but an imperfect idea of the power of the crown, if you suppose that, if the king desired this man's death, Lord Ellenborough would not carry his wish into effect." (Debates, vol. iv. p. 423.)

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plan is so ridiculous that it cannot be regarded seriously." The real essence of his crime seems to have consisted in some expressions of approval of Jacobin sentiments. In England, again, Mr. Ingersoll had very great advantages from his connection with Mr. King, and was present at the final public dinner given that gentleman upon his departure. On May 20, 1803, they embarked at Southampton on the John Morgan for New York, where they arrived on July 1, bringing with them the first news of the Louisiana treaty as well as of the renewal of hostilities in Europe.⁴

I have been able to learn but little of Mr. Ingersoll during the two years following his return to America, and presume that his time was pretty closely devoted to the study and practice of his profession. In December of 1803 he wrote to Mr. King,—

"I am jogging on my professional path. My father nudges me along, and the Governor has given me a public room adjoining the Court, where I have established my desk and arm-chair, so that they say I do tolerably well. . . . Our State rulers threaten to lop away that ex-crescence on civilization, the bar; and Counsellor Ingersoll declares he'll go to New York. All the eminent lawyers have their eyes on one city or another, to remove to in case of extremes."

The last sentence refers, of course, to the great public dissatisfaction then and for a number of

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years later prevailing in Pennsylvania against the lawyers and the judicial system generally, and which found expression in numerous laws intended to lessen the need for a bar and to make "each man his own lawyer." Though it appears clear that there was very sound reason for this dissatisfaction, there can equally be no doubt that the intending reformers aimed at impossibilities, and that the reform soon became largely the sport of politicians. During the early years of the century politics generally raged at white heat in Philadelphia, and the triumph of the republican masses was gall and wormwood to the respectable element, which had formerly been in absolute control. Duane was the leader on the Republican side, and in his *Aurora* advocated the most ultra measures and indulged in coarse and virulent abuse of his opponents. These, on the other hand, soon at bay and in the position of uncompromising haters of the whole development of public affairs in their own country, were quickly left behind, and became mere unceasing scolders at every governmental step. Even the mild Denie, a man of a literary turn of mind and quite unfit for the strife of public affairs, was unable to restrain himself from reviling the triumphant democracy, and indulged in his *Portfolio*—nicknamed "Portable Foolery" by the *Aurora*—in an abuse of his opponents which was at times quite as

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ribald as theirs. He was indicted for libel in 1803 for some denunciations of democratic government, and after his acquittal defined democracy in the *Portfolio*⁵ as "a fiend more horrible than any that the imagination of the classical poets ever conjured up from the vasty deep of their Pagan Hell."

These facts are mentioned here because they show the temper of the times in which Mr. Ingersoll passed his early years; and there can, moreover, be no doubt that the large majority of the associates whom he acquired from his father and from his position in society were members of the defeated and discomfited Federalists, and partook to a large degree of the opinion quoted from Dennie; but the whole subject of the origin and growth of Mr. Ingersoll's political beliefs will be considered later.

On October 18, 1804, he was married to Mary Wilcocks, daughter of Alexander Wilcocks and Mary Chew. He announced this event to Mr. and Mrs. King on October 7, in pursuance of a promise long before given to the latter, and added, "I am a very young man, and a very poor one, but I hope you won't think I am committing a rash act." Were it not that he was thus concerned in matrimony in the autumn of 1804, I should have assumed that he was one of the Philadelphia coterie whom alone Moore excepted

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from his coarse abuse of everything American. Moore was in Philadelphia during that autumn, and was very intimate with Dennie and his friends; and, as Mr. Ingersoll at least had been a friend of Dennie, it is more than likely that he was in part referred to in these well-known lines :

“Yet, yet forgive me, oh you sacred few,
Whom late by Delaware's green banks I knew;
Whom, known and lov'd through many a social eve,
'Twas bliss to live with, and 'twas pain to leave.
Not with more joy the lonely exile scann'd
The writing traced upon the desert sand,
Where his lone breast but little hop'd to find
One trace of life, one stamp of human kind,
Than did I hail the pure, th' enlightened zeal,
The strength to reason and the warmth to feel,
The manly polish and the illumin'd taste,
Which,—'mid the melancholy, heartless waste
My foot has travers'd,—oh you sacred few!
I found by Delaware's green banks with you.”

From the time of Mr. Ingersoll's marriage he doubtless devoted himself assiduously to the practice of his profession. His father's financial affairs were presumably already somewhat involved, while he himself soon had a growing family, and was doubtless anxious for all the income he could obtain. He seems, however, for a much longer period than most men to have been of an extremely youthful appearance, a fact which would

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of course not aid him with clients. So far as I have been able to learn, he had his first case in the State Supreme Court in 1806, and the year before that (November 7, 1805) had been appointed Clerk of the Orphans' Court⁶ by Governor McKean.

This appointment indicates that he maintained his interest in public affairs, and the same thing is shown by another event of a couple of years later, which is a striking instance of the danger of unguarded expressions in the heat of conversation. One day in June, 1807, in the area in front of the State-House, he met John Barker, the sheriff, and Mr. Jonathan Smith, and fell to talking politics. Barker, it seems, was a rather violent person, and began to denounce the tories of the Revolution in the strongest language. As Mr. Ingersoll's grandfather and his wife's father had been strongly tinged with toryism, he took up the defence, and at length, in the heat of discussion, said, "Had I been a man during the Revolution, I should have been a tory; many of the best men in the country were so then; many of our most exemplary citizens now sided with the mother country at that crisis." These unguarded words, uttered in private conversation in a heated argument, soon found their way into the *Democratic Press*, with just variation enough to make them much worse. Mr. Ingersoll immediately called

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upon the editor, John Binns, for his authority, but was denied the information. He was next assured most positively by the two gentlemen to whom he had made the remark that they had not repeated it; and he then wrote a letter to the *Press*, correcting the statement made in it, and giving the true version of what he had said. To this Binns replied in his paper, and expressed the opinion that Mr. Ingersoll had "forever deprived himself of the suffrages of his fellow-citizens;" and a correspondent of the *Press* called upon Governor McKean to remove him from office for his toryism. Nor was this the end of it; as much as thirty years later this hasty expression and erroneous judgment of what would have been his actions in other times was vamped up against him in heated campaigns, and he was obliged to go into explanations of it.⁷

In November, 1808, he published a pamphlet entitled "A View of the Rights and Wrongs, Power and Policy, of the United States of America;" and here he is found for the first time starting out on his own line of thought, unbiassed by the training derived from his father or by the opinions usually held in the circles in which he moved in Philadelphia. He hastened to announce the appearance of this publication in the following letter to Mr. Rufus King:

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" PHILADELPHIA 3 December, 1808.

" MY DEAR SIR

" One thing or another has prevented my writing to you for the last few days, or I would have given you due notice of the appearance in New York of a certain formidable pamphlet which perhaps has fallen in your way unanointed, unannealed, & before I had an opportunity of softening its introduction. There is no man alive of whose good opinion I am more ambitious than yours—and when I publish sentiments differing from yours, on subjects with which you are so intimately and I so little acquainted, I look forward to their reception by you, with something very like the feelings of a naughty boy when about to appear before his master. If I did not suppose your indulgence equal to your knowledge and penetration I should tremble for my pamphlet in your hands. Perhaps you have not seen it. If not, let me pray you to prepare for politics you do not admire, sentiments you can not concur in, arguments you consider false and positions wholly untenable. If your kindness for me has induced you to read it, believe that I thought myself right, and the same kindness will make the apology for my errors.—Ever since I had the pleasure of being with you in 1802 I have entertained the same ideas on these subjects—and I hope that their publication by a federalist will be received not as evidence of his abandonment of his party, but of his attachment to his country before his party. I do regard the conduct of England toward the U. S. as unjust & unwise, and the attachment of some men here to English policy and measures as unwarrantable and strained. Since the affairs of Pearce and the Chesapeake I am one of those who hold that government ought to be maintained, and in the absence of all other aid in print,

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but what is drawn from those foul sources the newspapers, I have ventured to support and applaud their conduct, and to recommend it to their fellow citizens in the opposition. . . . It would give me infinite satisfaction to know that I am honored with your approbation. It was my intention to have forwarded you a copy of my pamphlet, but the demand at first exceeded the printer's supply. . . ."

The pamphlet was principally a review of the decrees of the great powers upon the subject of neutral commerce, and, though its tone was moderate and fair, took decidedly the anti-English view which was maintained by the Republican party. It was, moreover, filled with a spirit of just pride in his own country, and criticised the prevalent tendency to admire everything English at the expense of America. Even the recognized literary ruler of the time, whose pupil he had himself been to a certain extent, was pointedly referred to for this fault in the following words:

"There is a class of cognoscenti among us, whose delight it is to decry what are stigmatized as Columbian effusions, and to extol every spawn, no matter how poor and contemptible, from the presses of England. At the head of this sect is a gentleman, whose elegant acquirements, amiable disposition, and masterly pen, are alike misplaced in the occupation to which he too often stoops, of attempting to ridicule the dialect and customs of his country. If they were as coarse and peculiar as the perusal of English magazines, and the tattle of English

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itineraries may have persuaded him they are, he should at least chuse gentler methods of correction. The rod is an instrument little used in this free country; and if the English were as worthy of imitation in their literary walks as Mr. Dennie imagines them, we are not to be lashed into their idioms and orthography."

This pamphlet was the first effort of any American to write a consecutive account of the matters treated, and showed a degree of originality which will be found exemplified more than once again in Mr. Ingersoll's career. The *Aurora* noticed it favorably, and it is to be presumed that it reflected marked credit upon its author, and contributed in no small degree to his entrance upon a public career.

About two years later (January, 1811) he published "Inchiquin the Jesuit's Letters," in which he again defended the American character, and inculcated a high degree of national self-respect and admiration. This book, like many others of great note in their day, has not had the permanent fame its merits deserve, for its interest was necessarily transient, and died out when the purpose with which it was written was accomplished. But it was the very first American book written with this definite purpose, and that dared to speak openly in favor of our country, and did not cringe to foreign ideas and criticisms. And not only did it not cringe, but it boldly asserted the superiority

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of the American character in many particulars. How strangely different, and how remarkable, therefore, was this view from that held by all the acknowledged literary authorities in Mr. Ingersoll's own home and throughout the country! A recent writer has well said⁸ that the then insolence of Great Britain had upon Dennie and his associates the effect of coercing them into "timid imitation and servility," while some others it "stung into violent hatred or sullen antagonism." Upon Mr. Ingersoll its effect was quite different, for, while indulging in no petulant expressions of hatred or antagonism to other nations, he told his countrymen that they were in general the equals of other peoples, and pointed out some respects in which they were the superiors of any. And this was the work of a man not yet thirty, and who had been a pupil of Dennie, and had lived his life in the social atmosphere then prevalent in the high society circles of Philadelphia. It is difficult to understand how so young a man came to such independence of thought; but in a letter to Mr. Madison, announcing himself as the author of the work, he wrote that "want of self-respect, an unjust self-appreciation, has always struck me, since my return from Europe, as a defect in the American people." He contributed what he could in this small work to correct this error, and to put the country, as he wrote, "in

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good humor with itself, by endeavoring to expose the prejudices that prevent its proper estimation." Though probably to-day known to but few, "Inchiquin" was very widely read in its day, and was undoubtedly an important contribution to the development of the American character. A sketch of Mr. Ingersoll in the *Democratic Review* of October, 1839, speaks of the work as follows, and probably represents * his own feelings about it:

"It is difficult at present to appreciate the independence which such a work then required. The United States were yet British in almost every thing except government, in which, too, the Federal party desired them to remain, without a spark of American self-sufficiency. A declaration of literary, social, and moral independence was almost as bold a stroke as the great declaration of political independence, ventured in 1776, which accomplished not much more than mere political severance. Not only was every thing and almost every thought colonial, but a large party insisted that they ought to be. To deny this Federal dogma—the idolatry of English every thing—was heresy, causing, if not physical, at any rate social and political dissolution in all the tortures of contumelious exclusion from respect. Mr. Ingersoll led a forlorn hope in the desperate encounter with this deep-rooted prejudice,

* I feel satisfied, from internal evidence as well as from probability, that this sketch passed under Mr. Ingersoll's eye before publication, and I shall often use it upon this belief.

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but has lived to see it considerably dislodged and completely rebuked."

"Inchiquin" was at first published anonymously, and consists of a series of letters supposed to be written between an Irish Jesuit (Inchiquin) banished from Great Britain and travelling in this country, and some friends abroad. The style is very clear and vigorous, and the author's purpose is well led up to by some letters from Europe to Inchiquin, in which admirable touches of national prejudice are given, while the letters from Washington are full of spirited accounts of the embryo capital and of the tendencies of American literature and character. The *Aurora* found nothing in it to admire, but the *Portfolio*—the American literary authority of the day—contained a highly favorable review; while, on the other hand, the *British Quarterly Review* attacked it, and made its attack the vehicle of a truly scurrilous article on the American character. Those who do not appreciate the feeling of the English to this country at that time might do well to consult this article, which was thought to be the work of Southey.⁹ It is redolent of the swaggering insolence of the bully, while the stupid gullibility of one who wants to believe everything bad is also strikingly conspicuous. Any false or garbled tale of a scribbling traveller on our frontier is gulped down whole and becomes typical of the American character. Ac-

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According to it, "gouging" is almost an amusement, boys are constantly to be seen in the streets in a beastly state of intoxication, and negresses in the South have waited at table absolutely naked upon their master and his daughters. So scandalous was the article that it soon called forth replies. The first of these was written by Timothy Dwight, but was shamefully sectional, in accordance with the then tendency of everything in New England; and J. K. Paulding took up the defence of the American side against both the *Quarterly Review* and Dwight. Upon his pamphlet, which paid the *Quarterly* back in some of its own coin, the subject seems to have rested.

"Inchiquin" had not been published a year before Mr. Ingersoll was nominated on the Republican ticket for the State Assembly; and it will be necessary here to examine how he came to hold the opinions which he held by that time and continued to maintain until his death. As a boy he had of course merely taken the opinions of his elders, and he tells us that he was brought up to revere Washington and admire Hamilton. That his father was a mild Federalist has been said, and the views derived from his instructions controlled him until after he left college. He was at this time not quite seventeen years old, however, and of course had as yet no opinions of his own. I judge from some remarks of his in Congress that he was

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guided by his father's opinions until his visit to Europe, and he was evidently an opponent of Jefferson's administration. Some deep impression seems to have been made upon his political views in Europe; he referred at a later date to the intense exultation then prevailing at Paris over Bonaparte's earlier victories and the many early triumphs of the French republic, and was evidently deeply impressed there with the "revolutionary rush of thought" which the transcending events of the time swept over the minds of many. When he came home, parties in his own country were largely distinguished by their sympathy with one or other of the great European contestants; and the opinions he had conceived in Europe would unavoidably lead to his gradual separation from the political set he had been brought up with. Moreover, there was the large element of innate belief and feelings which plays so great a part in determining political opinion. Mr. Ingersoll was a democrat at heart and a believer in the capability of the masses to govern, and this led unavoidably, in time, to his leaving the Federalists, with whom he had been brought up and had for some years acted, and joining the Jeffersonian party.

It is a great mistake to suppose, as many do, that democratic government sprang suddenly into the control of this country with the Revolution.

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The truth is far otherwise. Before the Revolution class distinctions were very clearly marked, and the "gentry" of the colonial days constituted a true aristocracy, and were to a large extent the governing class in most or all of the Colonies; nor did they by any means voluntarily give up the large powers they had possessed in public affairs. It is said that in Philadelphia, during the last few years of the century, a toast to "Our King in England," made half in jest and half in earnest, was a common occurrence; and it cannot be doubted that for many years after the war was over the struggle of the descendants of the gentry to hold on to their powers was an important element in our politics. These men thought that the essential foundations of society were being undermined, as they saw the democratic element gain the upper hand over them. They undoubtedly thought it desirable to have a class in the community endowed with many of the functions of an aristocracy. In their view, the class to which they belonged, the opulent and well-born, those having a "stand in society," were entitled to special privileges and constituted of right a separate order; and it was to be desired that they should unite and form a solid bulwark against the less favored many. Those holding these views adhered almost to a man to the Federalist party, and fought to the death the theories of popular government

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which were carried out by Jefferson and his party. The old Federalists had undoubtedly an incurable disbelief in the masses, and would gladly have deprived them of influence upon public affairs. The proof of all this is to be found in a thousand touches in the correspondence and writings of leading members of that party,—far too numerous and scattered to reproduce here,—but is well typified in Ames's distinct expression in favor of "separate orders in the state," and in the effort in 1787 to base the Senate upon life-tenure, and to compose it of members who, as Gouverneur Morris said, "must have great personal property; must have the aristocratic spirit; must love to lord it through pride." A political orator said in Philadelphia in the early years of the century, with what was then substantial accuracy,¹⁰—

"In truth, there are but two names in our language which designate the principles and views of the two parties. I mean the words *democrats* and *aristocrats*—the friends of the rights of the many and the advocates of a privileged few."

This sharp distinction then existing between the parties is no longer to be found, because in the lapse of years a vast deal of what the then Republicans contended for has become fixed as a part of our system, but the impartial historian of the future will undoubtedly recognize that the distinc-

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tion in question—which still divides individuals—did then divide the two great parties and was very sharply defined. A man, therefore, who had confidence in the political capacity of the masses would necessarily leave the Federalist party in time; but it must have been a severe task to one who lived in Philadelphia, and whose associations were with the element which had formerly governed there. Like all aristocracies deprived of their power, this one only grew more firm in its beliefs by defeat, and remained blindly unconscious that the world had gone on and left it behind. First defeated in 1776 at the time of the overthrow of Dickinson and the moderates, the Pennsylvania aristocracy was absolutely crushed only by the election of Snyder as Governor in 1808; but it still had for many years a controlling voice in the highest social stratum of Philadelphia. And there is no doubt that it looked upon any one as hopelessly bad and to a considerable extent exiled him who ventured in any way to give aid or countenance to the onward surge of the democratic masses.

It is difficult to picture this state of feeling, and only a few touches can be given, from which the reader must for himself construct an idea of the beliefs and sentiments prevailing among the dethroned and decaying aristocracy. We are, for example, told that when the "Pennsylvania

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Dutchman" Snyder, who was entirely ignorant of Latin and Greek, was nominated for Governor in 1808 against the Hon. James Ross, the polished gentleman and classical scholar, the city aristocracy merely laughed in derision, and was only awakened by Snyder's triumphant election to the consciousness that it was possible in the nature of things for a country store-keeper and farmer to be chosen Governor in preference to an "Hon." ex-Senator of the United States and member of the privileged classes. And the good Dr. Rush, whose associations were with this same city aristocracy, wrote his son Richard in 1812, warning him that he was *suspected* by the "citizens of Philadelphia" of writing for Binns's paper (which, with the *Aurora*, was then the leading Democratic paper of the city), and telling him that a reference to him by Bronson (the editor of the *Gazette of the United States*) had "spread a gloom over the whole family." The doctor's letter shows that in his mind a few old families composed the citizens of Philadelphia, and the great masses of republicans were as much forgotten or ignored by him as if they had not existed. And Binns tells a pregnant story of how the old-time aristocratic directors of the Bank of Pennsylvania had *expected a scene and been prepared for it*, when the "notorious John Binns" was elected by the Legislature a member of the board in the earlier days

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of Democratic ascendancy.¹¹ One can feel, in view of such instances of ingrained prejudice, that there is a world of meaning in the expressions used by Mr. Binney, when he speaks of the "great subversion in 1801" and of the "predemocratic age," or in that already quoted above from a sketch of Mr. Ingersoll, which tells us how denial of the city aristocracy's political dogmas was "heresy, causing, if not physical, at any rate social and political dissolution in all the tortures of contumelious exclusion from respect."

It was against such prejudices as these, entertained well-nigh by all those with whom his lot in life was cast, that Mr. Ingersoll had to contend, in common with the others who, like him, had an ingrained belief in the new gospel of popular government. Richard Rush had the same battle to go through with, and his letters show how disgusted he was with the atmosphere about him in Philadelphia and how anxious to move away from it. Binns tells a story¹² of the difficulty he and Snyder had even to discover any Democratic lawyer whom they could appoint Attorney-General; and there can be no doubt that Mr. Ingersoll, Mr. Rush, and the few who shared their opinions had to endure the breaking up of numerous friendships, and went about as marked men, as long as the older generation survived; nor did it end then; in Mr. Ingersoll's case, at least, though he was

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much liked by many, yet there was always a substratum remaining of dislike to him among a very large class, and he was accused of deserting the ranks of society to which he had been born.

The politics of Philadelphia * in the early years of the century were very confused and have not been much studied, and it has been difficult to learn in just what way Mr. Ingersoll was first launched upon his political career. It has been seen that he was appointed Clerk of the Orphans' Court by Governor McKean in 1805. McKean had been triumphantly elected Governor by the Republicans for the first time in 1799,—one year before Mr. Jefferson's election as President,—but his course had not satisfied Duane, Leib, and other extreme members of the party. He was, however, re-elected with their aid in 1802, but in 1805 they broke from him, nominated Snyder, and advocated a constitutional convention; the moderate Republicans, headed by Dallas, then formed the Society of Constitutional Republicans opposed to the convention, nominated McKean, and appealed to all citizens for their support. The Federalists united

* I tried for a long time to find the details of Mr. Ingersoll's entrance into politics, but without success. The material found in this effort was used in writing an article on "Pennsylvania Politics Early in this Century," printed in the *Pennsylvania Magazine*, vol. xvii. p. 462.

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with them, and McKean was re-elected after a bitter canvass. It may safely be assumed from Mr. Ingersoll's appointment following upon this election that he had acted with the Constitutional Republicans, or "Quids," or "Third Party Men," as they were variously called. But he was not at this time a Republican. Immediately after the success of the Quids, a special election was held to fill a vacancy in a State office, and the Constitutionals broke to pieces at once, their numerous factions making as many nominations for the office. In these factional troubles, Mr. Ingersoll was one of a committee of "Friends of the Constitution" who endorsed John Hallowell, who had already been put in nomination by Federalists. This is the first step in practical politics in which I have found him engaged. The following two letters from him to Mr. King may serve to show a little of the atmosphere in which he was living:

"PHILADELPHIA, October 8, 1809.

"MY DEAR SIR,—Upon looking over my letter files, I find that our correspondence has been at a stand ever since last December—which indeed it might well be for anything I have to communicate—except the assurances which I feel it almost a duty and quite a pleasure to reiterate of the constant regard I bear to you and your family. Our foreign relations and domestic politics, tho' abundantly strange, have long ceased to be interesting. Nothing but perplexities abroad—nothing but democracy

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at home—and tho' it is my misfortune not to coincide in opinion with you as to the root or remedy of our foreign evils, yet I am sure we concur equally in deploring them, and in deprecating that languid internal system which endures and protracts them. I cannot but believe, perhaps merely because I hope, that Mr. Madison will display a more manly and magnanimous policy than either Adams or Jefferson, and that the time is not far distant, when, if we are not rescued from embarrassments, we shall at least rise from the political palsy under which we are groaning at present into something like national action and dignity. Perhaps the non-ratification of Mr. Erskine's adjustment, which we have all so much regretted, may be the means of more benefit than its perfection would have been—for if, as it is confidently said, we are to have a treaty or an accommodation with France, owing to the threatenings of a rupture with England, I should not despair of some sort of settlement with the latter, notwithstanding the good understanding between our government and the French. I am told that the commercial speculations which were adventured during the short interval that followed the proclamation, will generally terminate most ruinously, and that before the next spring a scene of great distress will be exhibited among the merchants.—If the administration had not been supplied from this temporary source with revenue, the public coffers must have been as empty as the private. But I suppose this resort, so unfortunate to the country, has furnished them with an immediate support. How long it may last is another question. In New York you are preparing, I suppose, for the next election, with some prospect of federal success. In Pennsylvania we have at last, I trust, reached the nadir of factious degradation. For two years to come the great question,

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about which the passions of the good people of this State are to be beat up, is whether a fool or a rascal is the fittest governor. Gov^r Snyder, the actual incumbent, tho' hardly warm in his place, has already shown such utter incapacity that his partizans are ashamed of him, and Dr. Leib is making violent efforts to pull him down, no doubt with a design of succeeding him. This controversy is of too much importance to permit such minor considerations as canals turnpikes and internal improvements to disturb its discussions, and they will have little chance of legislative attention till that is settled. Next Tuesday will determine which way the popular scales preponderate. I am inclined to believe the odds heavy against the reigning executive. Col. Duane with the influence of the Aurora declares, *toto callo*, for his friend Leib—and he is a host irresistible. In our part of the State there is no question of Leib's triumph. To the westward probably Snyder is not yet so unpopular. From the excessive agitation of parties among us, I am willing to anticipate a reformation at no very remote period, for the people, tho' instigated to intemperate actions by the unlicensed provocations of incendiary presses, which are on all sides equally scandalous, are in the main certainly disposed to quiet and propriety. In New York you are a different community—more respectable—less influenced by newspapers—better governed—and in all respects more enviably circumstanced. Your partizans are entitled to lead from their talents, whatever may be their principles or conduct. Your laws are administered justly—your internal improvements are never neglected whoever rules. The ablest are the first men of all your parties. Whereas we are so deep in the slough of faction that the best men of any party are never the most prominent. . . ."

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“ PHILADELPHIA 27 March 1810.

“ MY DEAR SIR,— . . . We had a grand imperial fête last night in our neighbourhood, which had like to have been turned into a republican auto-da-fé—M. & Mde de Daschkoff, to do honor to the anniversary of their master's coronation, invited one third of Philadelphia to a ball, and to give the greater éclat, the front of the house was illuminated and an emblematic transparency exhibited from one of the windows, on which among other things, one of the most prominent was a crown ; a crowd of vagabond boys were collected about the door the whole evening but the constables who mounted guard—our gens d'armes—easily kept them in order. Just however as the Company were descending to supper, word was brought that a mob of more magnitude, with a naval officer at their head, in full uniform and armed cap-a-pie, were making regular advances and demanded that the crown should be pulled down—à bas la couronne. Mr. Alleyne Smith, of Russian memory, and several others went out and endeavoured to explain to the gentlemen in the mud that the transparency was intended to do them honor—that one ship was sailing into Petersburg, another into Archangel and so on—but all in vain—the crown must come down—and it was not true that the ship was going into port, for her sails were aback—a mistake it seems, the painter very innocently ignorant of setting sails, had made in the drawing. In the mean while the Ladies were seated to a very good supper, the door was kept fast, and we did as well as it was possible in a besieged place, with plenty of provisions. The result of the parley was that finding the beleaguers inexorable the odious diadem should be removed. Accordingly Mr. Daschkoff himself with four others clambered up into the window and were surrendering as fast as they

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could, when the officer, who to the disgrace of the country proves to be a son of Gen. Hand of Lancaster and a Doctor in the navy—fired two pistols in quick succession, the ball from one of which passed thro' the window where there were five persons, by great good fortune without doing any personal harm. The ball was found and handed about the rooms afterwards, among the rest I had it in my hands. The mob shouted victory and marched off. This was, I think a scene at the same time the most disgraceful & ridiculous that ever occurred in this peaceable town. Our police is so extremely bad, that I have no doubt if the Mayor of the City had been acquainted with the affair he would have been the principal rioter. . . ."

Early in the year 1807, John Binns had come to Philadelphia and established a new Republican paper, the *Democratic Press*, which was destined to play an important part in Pennsylvania politics for many years. Binns was soon engaged in bitter conflict with Duane and the *Aurora*, and for some years after 1808 was undoubtedly the leading factor in the Republican politics of the State, wresting from Duane the position of leader which he had formerly held. It has already been seen that at about this time Mr. Ingersoll published works which led him into prominence and which show that upon the most vital questions of the day he then held the views maintained by the Republican party. He was at the time of the publication of "Rights and Wrongs" only twenty-six years of age, so that his early maturity found

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him very far away from the opinions which he had been taught, and about ready to act in all things with the party to which he adhered all the rest of his life. It is likely that he soon had political aspirations, for a man of his temperament taking the interest in public affairs shown by his writings can hardly have been free from them. But serious difficulties stood in his way. With Duane and the *Aurora* he must have been entirely hostile, and with Binns he had had a serious falling out through the "Would-have-been-a-tory" tale. I judge that, until the obstacle growing out of this was removed, he could not possibly have succeeded in politics. But the opinions advocated in "Rights and Wrongs" must have appealed strongly to Binns, and "Inchiquin" was favorably reviewed in his *Democratic Press* soon after its anonymous publication, and early in March that paper appeared to be aware,¹³ in advance of general knowledge of the fact, that Mr. Ingersoll was in reality Inchiquin. I suppose that these writings had soon convinced Binns that he had made much out of nothing in the tory tale.

Moreover, during these years the course of public events was such that all minor differences were merged among men united in opinion on the main issue of the day. The great question was how to meet the continual and increasing outrages upon American commerce. The youth of the

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Republican party grew more and more to favor war against England, and this view was heartily supported by Mr. Ingersoll. As early as 1807, at the time of the attack upon the Chesapeake, he had favored war, and thought the country could be united upon it; and, though he supported the restrictive measures of the following years, he was apparently always of the opinion that war alone could settle the difficulty. In the course of a few years the youth of the Republicans grew to more power in the party's councils, and the War-Hawks soon came to control its destinies. The eager spirits and strong wills of Clay, Cheves, Grundy, Lowndes, Calhoun, and the rest were not to be controlled, and in this band of hot-headed youth, who boldly plunged an infant and a not united country into war with one of the two giant contestants of the day, was undoubtedly to be found Mr. Ingersoll. Their action was audacious, and maybe foolhardy, but the provocation had been tremendous, and the results of the war justified their audacity.

I presume that Mr. Ingersoll's writings and his advocacy of the war led to a reconciliation with Binns, and it was no doubt with his approval that he was nominated for the Assembly in 1811 on the Republican ticket. Though the State generally went Republican, he was defeated with the rest of the ticket in the city and county of Phila-

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delphia, owing to the factional troubles between Binns and Duane. In March of the next year he was appointed by Governor Snyder one of the three Commissioners of Insolvents; but the law creating the office was repealed, except as to pending cases, the same year, and was soon held to be unconstitutional. He had been removed by Snyder from the clerkship of the Orphans' Court early in 1809, and John L. Leib appointed in his place.¹⁴

It has been asserted by some writers that Mr. Madison was forced by Clay and others to declare for war against England as a condition precedent to his renomination; and although the charge in this breadth lacks evidence to sustain it, there can be little doubt that his own peaceable nature would have been much slower in reaching that determination but for the influence of the strong wills and opinions of Clay and other hot-headed young War-Hawks. Binns writes that in the spring of 1812 he visited Washington with the view of ascertaining the plans of the administration upon this subject, and in May it was determined in Philadelphia to refute the current stories that there was no real support for vigorous measures among the citizens of the First Congressional District of Pennsylvania. Accordingly, on May 20 a large and enthusiastic meeting was held in the State-House yard, at which strong reso-

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lutions in favor of "a prompt and vigorous war" were passed. At this meeting the Democratic papers said that twelve thousand persons were present; while, on the other hand, the *United States Gazette* of the next day said,—

"Yesterday afternoon a motley multitude assembled in the State House Yard, to the number of about two thousand, including boys and bystanders, &c. . . . We have been asked who is the author of the address read with such true democrattick emphasis from the scaffold yesterday. As yet we have not heard. Judging, however, from internal evidence, we should say that it was written by a *little* gentleman, whom his present friend Binns most malignantly charged a year or two ago with having declared that 'if he had been of age during the revolution, he would have been a Tory.' "

This address, of which Mr. Ingersoll was the author, was to the people of the United States, and contained probably the boldest and most outspoken words in favor of war yet uttered by any body of importance. Though it seems to-day stilted and overdrawn in style, it plainly found a strong response in the fiery state of public feeling then prevalent, was reprinted in the *National Intelligencer*, and, according to Richard Rush, attracted a great deal of notice among prominent people at Washington. In less than two weeks after the meeting, Mr. Madison sent to Congress his message of June 1, recommending war, which

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was formally declared on June 18; and early the next year William Jones, who had been the chairman of the meeting, was called to the cabinet as Secretary of the Navy. In the latter part of June Mr. Ingersoll was in Washington, and wrote the following letter to Mr. Dallas:

“WASHINGTON 23 June, 1812.

“DEAR SIR,—I have always experienced so much goodness at your hands that I must redeem my promise of writing a letter from the metropolitan wilderness, tho' it be merely to assure you I have nothing to say. The papers inform Washington of what is passing within its district, and of course therefore I cannot communicate what the papers have not anticipated. There is to be sure generally some political, as well as tea-table small talk, which flourishes here as elsewhere, but I have not had either time or opportunity to gather much of even this. It is said that Mr. Foster* persisted till the very day of judgment, under the information of some gentlemen as much deceived as he was himself, to laugh at the idea of war, and that he has now upon him the distressing consciousness of having misinformed his government as he was misinformed himself. It is said that Gen. Smith & Mr. Giles,† with no very great cordiality for cooperating with the administration, could not resist original impressions, when brought to a positive test, and in spite of

* Augustus John Foster, minister from England.

† General Samuel Smith, United States Senator from Maryland, and William B. Giles, United States Senator from Virginia, both voted for the war.

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personal feelings, could not find freedom, as we say in Philadelphia, to vote for England against America. It is said that Mr. Pope * has not coincided, but utterly contradicted, the wishes of Kentucky—that Dr. Mitchill, † by voting, as he thought, with N. York, perpetrated a most dreadful outrage on his own opinion—that Gen. Worthington, ‡ and some other negatives federal as well as republican, not excepting even Mr. Lloyd of Massachusetts or Mr. Goldsborough of Maryland, have declared that as the die is now cast, we must all hands play for our country—that in short it begins to be very disreputable to be obstinately submissive, and that the majority have gained ground, confidence and self-satisfaction every day since the 18th as the minority have lost those enjoyments. The last levee, I am told, was like an evening after a great victory. Such felicitations, shaking of hands, and rejoicings as were never exhibited here before—and not without cause, as there was *some* reason to apprehend that patriotism would be made to fall down before prejudices—and both the result and the principles of its decision were highly, equally gratifying. Such men as several who were counted on for disaffection, *some* of them with strong propensities to embroilment, could not stand the impulses propelling them over the shoals of faction and after floundering there rather long indeed, ultimately floated in

* Senator John Pope, of Kentucky, voted against the war.

† Samuel L. Mitchill, Representative from New York, voted for the war.

‡ Senator Thomas Worthington, of Ohio, voted against the war.

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smooth and customary channels. We have now an acknowledged enemy. It is necessary only that we be friends to ourselves to accomplish all we can desire. As I shall not set off on my return till Thursday morning the next drawing room will afford me an occasion better than I otherwise can compass of ascertaining the common pulse. When I have the pleasure of seeing you in Fourth St. I may perhaps be better freighted with news. Till then and at all times believe me your sincere and respectfull humble servant.

"Mr. Roosevelt is sub judice."

During this same spring Mr. Ingersoll had been writing a series of papers for the *Democratic Press*, urging war in the strongest terms, and denouncing the English and the opposition in New England. On July 4 he delivered an oration to Democratic citizens at "Mr. Harvey's, Spring Garden," and in the autumn of the same year was nominated to Congress in the First Congressional District of Pennsylvania, and elected with the rest of the Republican nominees. His correspondence shows that he had had thoughts of standing for Congress for over a year, but had long hesitated. Nor is this to be wondered at, as his professional income was at the time six thousand dollars.

At the time of his election he was but thirty years of age, and was so youthful in appearance that the door-keeper of Congress at first declined to admit him, thinking it impossible that so young a person could be a member.

CHAPTER III.

War of 1812—War-Hawks—Early Failures—Naval Triumphs—New England Opposition denounced—Thirteenth Congress—His Course in—Speeches—Answers Webster on Disunion—Collision with Mr. Stockton—New England Federalism—Not re-elected—His Position in Congress—Peace—United States District Attorney—Letters during the War.

THE war of 1812 was emphatically the war of the youth of America, the most important step which had yet been brought about by the generation upon whose shoulders was rapidly falling the mantle of the fathers of the country. Mr. Ingersoll often spoke of it as the "second edition of American Independence;" and even the Revolution would not have ranked as the heroic period of our existence in a higher degree than the Second War, but for the violent opposition to it of that section of our country which, though then so out of tune with the tendency of American history, has come in time not only largely to guide the course of public affairs, but to write our history as well. New England's bitter and factious opposition, driven to the very verge of disunion, and the fertile soil where sprung up the theories upon which the successive advocates of secession have based

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their claims, probably prevented the war from being a great triumph, and has certainly obscured its necessity and its daring boldness. The series of oppressions and outrages which led up to it was indeed such as is to-day marvellous to think of.

New admiralty rules, invented to render neutral (*i.e.*, American) commerce impossible; decrees in council which recolonized us; and the right of search, exercised at the will of insolent sea-captains against even fishing-smacks and coasting-vessels and an American vessel of war, constitute a chapter of history which may well make one laugh at such an expression as international *law*. But when we add to all this the impressment of Americans, the cup of our wrongs does indeed flow over. Of course, in theory, impressment was based upon a ground which was then fairly open to argument,—the denial of the right of expatriation; but it was necessarily exercised by roving sea-captains, bred to the methods of the press-gang and reeking with all the then insolence of the British quarter-deck, who often sadly needed men for their crews, and who had no possible means of ascertaining the essential fact of nativity. It is well known, and was even then admitted, that born Americans had been wrongfully seized in this way.

For a new, peaceful, and only half-united country to wage war, even for such wrongs as

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these, against the giant power of the England of 1812 was indeed a bold step. But, despite the hesitation, the warnings, and the opposition of the older generation, the younger War-Hawks at length succeeded in carrying their measure. They had no hesitations, and looked upon an easy victory over England as a foregone conclusion. They seem, in the boiling enthusiasm of youth and under the sting of a long series of wrongs, to have entirely forgotten the stubborn valor and the fighting qualities of their opponents, and when defeats came, the rude brushing away of dreams of easy triumph was indeed a painful experience, but abated nothing of their strenuous efforts, nor of their confidence in final success. In all this hot-headed confidence of youth Mr. Ingersoll shared fully, and maybe more than most of his associates. He tells us how, at a time when he was confident that Hull was marching in triumph from Malden to Queenston, he heard doubts and warnings with incredulous annoyance from the lips of a friend and old Revolutionary soldier. This officer, General Craig, had experienced the force of English armies and the dangers and chances of military movements, and shook his head at his young friend's confidence, warning him not to be too sanguine. It cannot have been long after this that the full story of Hull's disgraceful failure became known, and the blow must have been a bitter one

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to those who, like Mr. Ingersoll, had allowed their sanguine hopes to soar too high.

But if the supporters of the war were often confronted by defeats and even disgraceful disasters on land, instead of the easy tide of success they had so confidently hoped for, far different was the issue of events upon the sea, the very element upon which their enemy had annihilated all other competitors. There, triumph succeeded triumph with dazzling brilliancy. In dogged resistance against vast odds, in dash, in fertility of expedients to overcome difficulties, in gunnery, in seamanship, in everything that goes to give success at sea, the young nation, but recently a byword of scorn to its opponent, was easily superior, and humbled indeed the pride of its arrogant enemy. Vessel after vessel lost, and flag after flag struck upon the element upon which they hardly knew how to strike a flag, was the lesson borne home to the British ; and a bitter lesson it was, though very necessary, in order to teach a degree of respect for their young and thriving progeny. The moral effect of these triumphs throughout the world cannot be measured, and in this country they were of course received with unbounded exultation. Nothing has come to my hands to show how Mr. Ingersoll received them, but it is likely that he was more prepared for maritime successes than most of his countrymen. He tells¹⁵ in his

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"Second War" a story he had heard of Nelson's admiration and almost apprehension of the way American vessels were handled, and Inchiquin had fully appreciated the high character of our navy, and written as follows of it:

"Among so small a number of individuals as compose the officers of this little navy, never did nor does there exist a more glorious spirit of chivalric valor and enterprise, superior nautical skill and proficiency, discipline, subordination and concert in time of service, more gentlemanlike deportment, urbanity and unexceptionable conduct in society. There is no body of men so well deserving to be entitled the flower of the country."

It is also worthy of mention that the correspondence between Mr. Ingersoll and Richard Rush shows that at the very outbreak of the war they had selected Decatur as a man sure to distinguish himself. Mr. Ingersoll, too, had early selected as his special favorite in the army—and, I think, had helped to appoint—General Jacob Brown, who showed himself later one of our most determined and successful officers.

Some of the correspondence between Mr. Ingersoll and Mr. Rush during the war has been preserved, and it presents an interesting view of the intense feeling of the time, and shows that these two young men had in them in a high degree that burning ardor which wins battles and does so many great deeds. It was Mr. Rush who, after some sleepless

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nights, he tells us, conceived and proposed the idea of Mr. Jefferson's being called into the cabinet ; and upon the failure of Hull he bitterly regrets that at least some one small band of the Americans had not refused to surrender, and had not thrown themselves upon the enemy and inspired their countrymen to high actions, instead of all surrendering without a blow.

Nor was Mr. Ingersoll one whit behind him, but was laboring in every way open to him to push on the fortunes of the war. Not only did he early put all the small estate he owned into the Federal loan which was issued, but the columns of the *Democratic Press*¹⁶ contained from his pen numerous "Yankee philippics," as Mr. Rush termed them, in which the "miscreants" who opposed the war were roundly denounced, and were dared to separate from the Union ; and the English, too, were often handled without gloves. The timid and halting measures of the administration, particularly before war was declared, were gall and wormwood to him, and he protested and declaimed against them in a series of letters which considerably ruffled the more mild nature of Mr. Rush.

During the sessions of Congress, Mr. Ingersoll boarded at O'Neale's, and was punctually on hand to take his seat at the opening of the special session on May 24, 1813. Among the new members who came with him were Daniel Webster

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and John Forsyth. Clay, Calhoun, Grundy, and Cheves were probably the recognized leaders on the administration side, but Mr. Ingersoll soon achieved for himself also a like rank. Every measure for the vigorous prosecution of the war had his unwavering support,—the bills to encourage enlistments, including that for the enlistment of minors over eighteen; the later measure for militia drafts; the efficient measures for raising revenue by taxation; the bill for the charter of a bank,—all found in him an earnest advocate. Nor was he by any means contented with the methods adopted, but was constantly a supporter, during the formation of bills in committee, of far more efficient plans than those which the bulk of the party sustained; and his voice rang out, moreover, on every occasion in earnest support of the justice and propriety of the war, and in denunciation of certain features of its conduct by the English, and of the bitter and unpatriotic opposition of New England. Though one of the youngest members, he was chairman of the Judiciary Committee and a member of that upon Foreign Relations, and was earnest in attending to his duties. When worn out by the contests of a long session, and oppressed with the heat and other discomforts of Washington, he would write home that he was “too patriotic to be homesick, but beginning to be very impatient to be at home.”

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His first set speech was delivered on June 29, and very markedly showed his independence. The House was in Committee of the Whole upon a revenue bill, and Mr. Ingersoll, in a speech sustaining resolutions of his for a succession and income tax, referred to the recent acceptance of the Russian offer of mediation, and spoke of Mr. Galatin as "now . . . on his way to the Arctic Circle in pursuit of peace, intoxicated, I am afraid, with vain hopes of at least a very doubtful and dangerous success," and then went on to express himself as follows: 17

"Most heartily, for my part, do I wish the Russian mission a speedy accomplishment of all its objects! But, though I have avoided inflaming this debate with a recapitulation of the causes of this just war, permit me to avail myself of this occasion to throw in very briefly my ideas of its legitimate progress and proper termination. If I differ in opinion with any of my friends, as it is an honest difference, there can be no impropriety in my exhibiting the grounds of the sentiments I entertain. I am one of the last individuals in this House who would wantonly utter a disrespectful or ungracious sentiment concerning any of the measures of that Administration, to which I am attached, or toward that excellent person in particular, who, so much to the interest and satisfaction of his country, fills the Executive Magistracy of these United States; . . . But, sir, I espoused this just and inevitable war, not because it was a measure of the present Administration—and I am wedded to its fortunes—not merely because the present Administration is intrusted

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with its prosecution. My affiance is founded on higher and deeper, I will add, nobler principles—principles which will outlive this and every other Administration. I support, and will continue to support, this war, so long as I shall remain in the conscientious belief, together with the majority of the American people, that the hostilities we ought to be waging are indispensable to the welfare, the character, the union, the existence of the nation.

“Sir, having said thus much, let me add, with a full foresight of the responsibility I incur—having well considered what I am about to say—and prompted in its public declaration by a powerful sense of public duty, I proceed to add, that I am afraid this war has been mortified with too pacific an aspect ; I fear its vigor has been cramped for the purpose of pampering a premature peace. I am as warm a friend to peace as any man, and would subscribe to it on as moderate terms ; but after war has been declared, in my humble apprehension, peace-seeking is not the avenue to peace, is not pacific policy. If this war had been waged with a boldness, such as has marked our incessant endeavors to put a stop to it, which have followed each other ever since war was declared, in an increasing ratio of iteration and intensity, I have no doubt that the enemy, long before now, would have been panting for peace, pent up within the walls of Quebec, if indeed even the last resort of his annoyance, the *ultima thule* of his foothold on the North American continent had not been in your safekeeping, a pledge, a mortgage, for a permanent pacification.”

This was certainly a very outspoken criticism of the administration, and is hardly likely to have been pleasing to the authorities ; but it does not

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seem to have injured its author, and it is hardly open to question that he was quite right. Nor can it be doubted that the presence of so outspoken a friend was very useful as a restraint upon the cabinet from giving too free scope to its peaceful plans and longings.

In the summer of 1813, Mr. Ingersoll published a very long letter to his constituents on the foreign relations of the United States and the origin of the war, which was printed at large in the *National Intelligencer* of July 31 and attracted wide attention.

It is worthy of note that on January 14, 1814, he answered impromptu the first set speech of Daniel Webster, and in at least one other instance he had occasion to answer the same great opponent. On December 9, 1814, upon the discussion of the bill for militia drafts, Mr. Webster had been indulging himself in some of those threats of disunion which constituted no small part of the argument of the New England opposition, and Mr. Ingersoll answered him¹⁸ with spirit, directing his attention at the same time to certain other arguments of members from New England.

“They denounce that Administration,” he said, “as the most imbecile, indigent, and despicable in the world ; and yet, with all the wealth, and all the talents, they have in vain withheld their wealth, in vain exercised their talents to thrust this miserable obstacle from their course. They possess, exclusively, all the physical resources, and

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all the patriotic attachments of the soil of the country—the bone, marrow, sinews, and vitals of the State—and they come here to reproach Administration for not having prevented or defeated a sudden inroad upon this Capital, while a portion of their own territory has been, for six months, in the undisputed occupation of the enemy—subdued without resistance, and held without an effort to regain it. We can all recollect, Mr. Chairman, how the gentleman from New Hampshire, (Mr. Webster,) in particular, demonstrated to us, about this time last year, that our war was unpopular and unjust ; how he entertained us with distinctions between war offensive and war defensive ; between the mercenary spirit of extra-territorial conquest and aggrandizement on the one hand, and the generous ardor of repelling invasion on the other ; how he proved our inability to conquer Canada without the cordial co-operation of New England ; and how speedily Canada would be overrun and subdued if his immediate fellow-citizens could be enlisted into the cause, instead of the armies—and yet, now that the war has become defensive to them ; now that it has pushed itself into their plantations ; now that the conqueror rings the knell of a curfew every evening over their own firesides, not a note of preparation or resistance do we hear from their mountains or their seaboard, nor any other note but that of rejoicing in the happy exchange they have made of war without trade for trade without war. Nay, sir, they are more robust than ever in opposition to the war, now that nothing is left in dispute but a canton of their own soil ; and they venture to threaten us with disunion for presuming to enact a militia law, when the enemy offers us a peace we can accede to at any moment, and leave that section which shakes the rod of dismemberment over our heads to fight

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out the battle with Great Britain. Sir, I do not belong to that slaveholding portion of these States to which such frequent and such angry allusions are made from another quarter, and, for particular reasons, I look with a degree of reverence and a strong regard towards the East. I listen, too, with pleasure, generally, to whatever falls from the gentleman from New Hampshire, (Mr. Webster,) because, however I may disapprove the doctrine, it is, for the most part, supported by argument, as to-day it was by eloquence. But it was, if I may so express it, with a very painful pleasure that I attended to his pathetic threats this morning.

“Mr. Chairman, a dissolution of this Confederacy is a national misfortune, upon which I never think without great pain. The political school in which I have made my inconsiderable acquisitions, abhors and deprecates so desperate a resort. I know of but one evil more to be dreaded. But there is one, and of that one I inform the gentleman from New Hampshire. It is the deterring those States who hold a legitimate ascendancy in the Government from any measure whatever, by the threat of a dismemberment as the consequence of it. Whenever this is the case, the Union is virtually dissolved. The substance is gone, and nothing remains but the shadow—a cold and melancholy shade of authority—without warmth, without life—contemptible to our enemies, and formidable only to ourselves. Minorities have their rights, and I should be one of the last to infringe upon them. But majorities have duties too, and duties to be performed at every hazard.

“Sir, we have been but too long threatened with dissolution, but too often deterred from proper and Constitutional purposes by such apprehensions. The same ground

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was taken in the same quarter against the embargo laws. The same threats. But there was no resistance to those very severe and unpalatable acts ; and I trust there will be none to this militia bill. I do not believe that there will. But whether there will or not shall have no influence upon me. If I consider the thing just, I shall vote for it and maintain it, leaving results to themselves."

But the speech of his which attracted the most notice was made upon the Loan bill on February 14 and 15, 1814. A correspondent of the *Democratic Press*¹⁹ wrote that he held the House suspended in mute attention for three hours, and especially referred to a power which—we shall see later—was characteristic of his eloquence, the energy which he imparted to even ordinary words. The speech was upon the causes and justice of the war, and was full of evidence of careful study. Instead of contenting himself with "turning up the mere surface of our commercial embarrassments," and beginning with the Berlin and Milan decrees, as other debaters had done, he went back to the Treaty of Utrecht for the doctrine that "free ships make free goods," and showed how doggedly the English had for years resisted the Spanish claim of a right of search. All this history, as well as that of more recent times and of the efforts of the United States to avoid war, was illustrated with a mass of historical references which made the speech valuable but rather unfits

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it for reproduction here. Later on he launched out into the following ²⁰ torrent of invective against the English for their employment of the Indians as allies :

“ But is there no additional cause for our hostilities? Has nothing been superinduced by the war itself, adding to its original inducements most unparalleled aggravation? Mr. Chairman, yes, an atrocity overlooked by our Government, familiarized to the minds of the people ; but one, nevertheless, against which every cottage should be hung with mementoes, every parlor tapestried with remonstrances. I allude, sir, to the barbarian subornation by England of our Indian borderers, whose savage thirst has been slaked in the blood of our women and children, under the direct encouragement of English agency. I mean to take some notice of this nefarious inhumanity. The Executive Government of this country, which is accused of so much unfounded hostility to Great Britain, has omitted in my humble opinion the most imposing and overwhelming complaints with which a nation ever was rebuked, by their silence on this subject. But I shall not follow the example of the Government ; and shall make no apology for presenting this atrocity in its true colors. The British manifesto of the 9th January, 1813, which puts forth their justification in this war, states expressly that Mr. Foster had instructions to repudiate the foul charge of their employment of our Indians. Did he do so? Never. I am aware at least of no solemn protestation from that Minister against this imputation, this indelible, deadly blot on the annals of this nation. But supposing that he had, would that alter the fact? Should that disprove it? There was indeed a period when the drawing-room and the

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cabinet were hung with specious but most insidious trappings of amity ; but even then the trans-Alleganean wilderness was rustling with the preparation of the savage, licking his chops in ambush, and hankering for the promised repast. There was a time when we examined the powder, and the arms, the muskets, and weapons, that fell into our hands at the battle of the Wabash, in order to ascertain whether the ear-mark of England was upon them. There was a time when, if such signs were declared to exist, ten thousand voices and pens and prints rose up to contradict the ungenerous aspersion. But that time has passed away. The Englishman and the Indian, like the mastiff and the wolf, since then have always roamed abroad together ; the one decorated with the collar and other indications of refinement, but without its heart ; the other bounding in native ruthlessness ; and kept each other's company scouring our forests, contending for their prey. . . .

“What an outrage then this is ! and what proof of it ! From the official papers of the British commanders, *ex cathedra*, indeed, have we the evidence of this fell, unmanly, and unchristian outrage—an outrage that has no equal. I solemnly protest, Mr. Chairman, that my inconsiderable knowledge suggests no oblation ever laid on the altar of human malignity and vindictiveness to be compared with this subornation of our Indians—by the English who boast of their superior religion and charity, who have sent out more missionaries of late for the salvation of distant hemispheres than all the rest of the world put together—against us Americans, their descendants, their flesh and blood—through the instrumentality of those savages whom by every liberality and study we have labored to humanize and ameliorate, and whom we could at any

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moment either extirpate or expel from the neighborhood of our frontiers. It is, sir, an excess of wrong which absolutely flings the hurdle and guillotine behind, and occupies the most conspicuous place in the representation of our most unnatural passions. True it is, I am aware of it, that we have latterly employed some of these monsters in our armies. But not until a twelvemonth and more forbearance ; not until after we were taught by bitter lessons that English officers and soldiers were to be opposed only by the auxiliaries of their own choice ; not till we had learned that to carry consternation into British ranks, it was necessary to set before them the counterpart of their own allies.

“ And yet this is a war without a cause ! This is a war so wantonly waged on our part ! This is the unnecessary, the wicked and the foolish contest we keep up ! . . .

“ But this wanton and disastrous war is also partial in its pressure. What an objection to come from Massachusetts to Virginia ! What an objection, while any of the patriots of the Revolution survive ! I mention it but to say that if Virginia had made such an objection to Massachusetts in 1775, we should not now have been an independent nation. It is, however, unfounded in fact. The pressure is felt more severely in Virginia, Maryland, North Carolina, and Louisiana, than in any section whatever of the Eastern States.”

On another occasion he denounced²² the British as

“ these modern Buccaneers, who have carried their calicoes for sale throughout the world at the point of the bayonet, plunging the bayonet into every bosom that

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refused to cover itself with the calico—who have wrapped the four corners of the earth in flames for a monopoly of manufactures. We could not dress but in their broad-cloths. We could not eat but with their hardwares. We could not sleep but in their blankets. Not a hobnail but was English. They had us effectually recolonized, without bloodshed or expense. But this did not content them."

Not long before his speech on the Loan bill he had had a very severe collision with Mr. Stockton, of New Jersey. This gentleman had used an expression in debate very much like rejoicing that the flag had been struck, and Mr. Ingersoll had at once protested against this "monstrous" sentiment. A few days afterwards Mr. Stockton explained that he had meant that the administration had struck *its* flag and abandoned what he thought untenable grounds for the war, and he then proceeded to make a violent and most personal attack upon Mr. Ingersoll. He is said to have been several times called to order by members and by the Chair. Mr. Ingersoll immediately,—to quote an opinion²² of the day,—“with the utmost coolness and in a style of correctness not to be surpassed, gave Mr. Stockton such a rebuke as even under ‘the frost of fifty years’ may teach him wisdom.” However this may be, the answer was dignified and entirely devoid of the grossly personal features of Mr. Stockton’s diatribe. What must have added to the pain of this episode is the fact of former friendship and

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intimacy,—such, at least, as can exist between men of widely different ages. Mr. Stockton was a member of the Judiciary Committee, of which Mr. Ingersoll was chairman; so that it is not unlikely that they had had collisions before. He was one of those perverse Federalists of the New England stripe who looked at all points involved in the war from the ultra-English stand-point; our maintenance of the right of expatriation was to him a subject of ridicule, and presumably he would therefore have defended impressment, as did other leading members of his party. During the dispute with Mr. Ingersoll, the latter had laid down as follows the general principles for which he considered the war to be waged: “1. A regulation of the British extension by construction of blockade. 2. A limitation of their inordinate catalogue of contraband. 3. No search for men. 4. A qualified ascertained and moderate search for things.” But, mild as these claims were, Mr. Stockton ridiculed them, and told Mr. Ingersoll that he would “never accomplish one solitary article in the list.”²³

The presence in our midst of this band of able men of ultra-English opinions led to many another collision than that of Mr. Ingersoll and Mr. Stockton, and constitutes one of the curious features of the times. These men, mainly from New England, and then easily leading public opinion in that section, were as much at variance with the American

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views—views now well-nigh universally received—as if they had been born and bred in the court circles of old England. They took the English view upon every question, and in their virulent opposition to their own country marched up to the very threshold of secession. And what is most curious in the matter, though the first fifteen years of the century thus saw New England rabidly hostile to the trend of American development, yet but a few years later found it having its full part in that same continuous growth which has marked our history. New England writers, who should best understand the origin and explanation of this change of the controlling public sentiment in their section, do not usually try to explain the curious transformation, but pass the whole matter largely *sub silentio* from mistaken pride of locality and a desire to conceal their section's maintenance at that time of views which have grown very unfashionable in the lapse of years. Schouler forms an exception, and examines²⁴ the subject at some length. He thinks that the Federalist leaders constituted, as in the British provinces, a sort of ruling gentry, powerful in social influence and full of pride and obstinacy. This *quasi* aristocracy had inherited its control from colonial times, and was overthrown and deprived of its power owing to its lamentable failure to lead successfully in the early years of the century. But its overthrow was not

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complete until after 1815, and was a gradual process, while in Pennsylvania the colonial gentry had been unhorsed suddenly in 1776 and a new element had taken the helm.

It was to be expected that the capture of Washington in the summer of 1814 would not contribute to the success of the administration in the fall elections of that year, and in Philadelphia there was also the chronic trouble of the factional disputes which raged between the Binns and Duane-Leib elements of the party. The consequence of these causes was that, though the State went Democratic, the Democrats were badly beaten in Philadelphia, and Mr. Ingersoll, with the rest of the Congressional ticket, was defeated. He took part, of course, in the remaining short session, but with that period his political career came to an end for many years.

That he had made for himself a very prominent position cannot be doubted. Entering Congress not only for the first time, but a young man and unknown to the public but for a very few years, he left it after only one term of service, with a high degree of prominence and having earned for himself the position of a leader. An eloquent speaker, easily holding an audience for a long period, he was, moreover, a ready debater, quite able to give blows, and many of his speeches were full of a learning which was very valuable. Indeed, this

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was rather characteristic of them, and I do not think he often spoke without study. His correspondence shows that he frequently wrote to Mr. Duponceau, Mr. Madison, Mr. Dallas, and others for aid upon points which he wanted to treat. He was, moreover, as his writings show, intimate with the cabinet and well acquainted with their plans, and he formed friendships with Mr. Madison and Mr. Monroe which endured as long as their lives. He was deeply interested in the plans of the campaign intended to be made in 1815 against Halifax, and wrote²⁵ later that the support of New England had been promised for it by a member of the Hartford Convention. But this campaign happily became unnecessary through the treaty of peace; and after sharing in the votes of thanks and the exultation which all felt at Jackson's pride-restoring victory and at the peace, he went home on the 28th of February—with the country all still in a blaze of triumph—to assume the duties of United States District Attorney at Philadelphia, to which position he had been appointed at the instance of Mr. Dallas, who had just resigned it in order to enter the cabinet as Secretary of the Treasury.

In regard to his position in the councils of his party, he was undoubtedly intimate with all the leaders, including those who, like Binns, were mostly concerned in practical politics, and he was

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at times active in questions of patronage, as notably in the removal of Postmaster-General Granger; but I do not think, on the whole, that he was usually called upon to take a very active part in the practical movements of the political game. He had not that cool calculation and self-restraint which are needed, and his correspondence shows that his friends thought him rather lacking in the sort of judgment necessary in such matters. Shortly before his election he had formed a plan to found and edit a Republican magazine in conjunction with service in Congress, and with this object in view had drafted a letter to Mr. Madison detailing his plan and asking for an appointment to a foreign mission to enable him to collect certain material necessary for his purpose. He consulted Mr. Rush about this plan, and was dissuaded from it by that gentleman, whose greater knowledge of official decorum and methods was much shocked by Mr. Ingersoll's blunt directness.

The following letters of his are from the war period:

TO ALEX. J. DALLAS.

“WASHINGTON 18 December 1813.

“MY DEAR SIR,— . . . As to 1805—great indeed was the occasion and great your effort, greater your success. But what are such struggles to the grand conflict of the present day? Moreover, your fine sentiment that this holy war has advanced us a century *per saltem* in power and char-

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acter shall excuse so bad a reason for such indefensible sequestration as you attempt to defend in your own instance.

"I must add now to the requisitions preferred in my last letter. We contemplate important alterations in the Judiciary such as abolishing the Circuit Courts as at present organized, enlarging the number, jurisdiction and salaries of the District judges, giving the Supreme nothing but appellate powers &c &c. What do you say? and remember that if you advise any plan, I shall not be satisfied with an outline. I wish the Judiciary Committee had leave to offer a reward for the best drafted bill, phrase, point and all—to save me from such an undertaking, and, what is of more consequence, to save the nation from my performance. . . ."

TO ALEX. J. DALLAS.

"WASHINGTON 26 January 1814.

"MY DEAR SIR,— . . . I wish heartily your resolutions had arrived about six weeks earlier. Agreeably to instructions from my abominable Committee I carried thro' a couple of Resolutions, which are the same as yours in substance without their pith or elegance, except in the circumstance of asking leave to act and consult in recess. I am therefore prevented the adoption of your suggestion in the main—and as to the latter part of it I am quite sure that leave wd. not be given. Congress are not so true to their fealty to lawyers as to entrust any of them with such authority. The traces of the Midnight Judiciary and its Midnight repeal, the conflict between the bar and the community, the associations between ideas of English common law and American common sense, in short the whole field of controversy and sensibility on this subject must be turned

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over and cultivated afresh for some time before such a commission can be obtained.

"I am very much obliged by your memoranda of the Militia principles as settled by Gen. Washington's administration and subscribed to in 94. But do you consider the case of the constitution as between one state and another the same as that between a state and its foreign frontier? . . ."

TO NICHOLAS BIDDLE.

"WASHINGTON 14 December 1814.

"DEAR SIR,—I do not believe that Congress will adopt any important measures of preparation for another campaign beyond the enactment of a system of severe and productive taxation, and perhaps the establishment of a national bank. On all military bills and subjects the diversity of sentiment is so great and irreconcilable that I have little expectation of any thing being done. If we can raise money I suppose we can raise men, and we can raise money if we can surmount our own preposterous prejudices and crudities. My own views would not however refer the creation of an army to the Treasury. I would attempt a more direct and I think a more appropriate application of the physical resources. But there is certainly not a majority of this opinion. I shall be glad of an opportunity to exchange with you the news of Washington for the news of Harrisburg, and remain at all times."

TO ALEX. J. DALLAS.

"PHILADELPHIA 30 April 1815.

"MY DEAR SIR,—Well, and what do you think of this? We have seen the scenes changed at a theatre, we have read the Arabian Nights entertainment, and we have

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heard the wind blow at Washington. But they are all nothing to this. If Solomon could publish a new edition of his works don't you think he'd leave out that completely exploded saw which says there is nothing new under the sun? It is all vanity and vexation might be left in for the benefit of the Bourbons, but the other should be suppressed in compliment to the Bonapartes. Did you ever see such fine acting? Why he beats poor Louis at his only guard, that of whimpering. To invade France at the head of a thousand vagabonds, and have 'em all to dine with him at the Tuileries three weeks afterwards. Happy he who has lived, a spectator, not an actor, for the last eighteen months at Paris—he will have had the historical experience of many ages,—he may die when he likes—Our friends the Bulls will have a blessed time of it. If London was a scene of unexampled agitation when the adventurer was but at Grenoble, what will they say to it when he reviews the enchanted armies at Paris? Poor Dr. Eustis,* I fear, will be the greatest sufferer. Before he reaches his destination the king of the Netherlands may be a squeezed orange. Our little exploits at Orleans, which we flattered ourselves would make such a noise seem to be almost drowned in the clamor of these great European tocsins. I hope you have had an opportunity of reminding O'Neale to send my engraving. I am afraid now of Serrurier's† asking for it back again, and it would be ungenerous to take it from me since the restoration when I would have hung it up at the worst of times.

“We had a very elegant peace ball, tho' not quite as

* Dr. William Eustis, Secretary of War from 1809 to 1813, had been appointed minister to Holland in 1814.

† The French minister.

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much so as the paragraph in the Press, which I ascribe to Mr. Manager George.

“I am looking every day for the Attorney Gen.* to console with him on the news.

“Eppes has lost his election—he deserved it. What with the election of Randolph and the restoration of Bonaparte what an animated year or two we shall have.”

* Richard Rush was United States Attorney-General from 1814 to 1817, and Mr. Ingersoll constantly referred to him by his official title. His sympathies were with the English, and this was a point of difference between him and Mr. Ingersoll.

CHAPTER IV.

The Bar—Wide Correspondence—Visit to Mr. Madison—Mr. Monroe and the Loan obtained for him—His Aid invoked in a Matrimonial Venture—Letters—Diary from Washington in 1823—His Industry—Public Orations—Address on Reception of La Fayette—"Europe long ago."

UPON his return to Philadelphia after the close of the war, Mr. Ingersoll entered upon a long period of great activity at the bar. He wrote the next winter that he was determined "to be a *mere* lawyer, jurisconsultus merus, for the next 15 years. . . . I have been so much from home during the last two or three years debauching in politics that one half the foolish world still seems to think that I am in Washington and not in Philadelphia this winter; therefore I should not suffer anything short of the most crying exigency to take me from home at least for a year or two till I afford the requisite proof that I am in Philadelphia and not in Washington."

He continued to hold the position of United States District Attorney for more than fourteen years, so that his term of service has never been equalled by any other incumbent of the office;

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and he had, moreover, a large and varied private practice. It has already been stated that before he went to Congress in 1813 his professional income was as large as six thousand dollars,—an enormous sum in those days; and he has himself recorded that in a single day in December of 1811 he was consulted in the following matters. A French merchant, ruined by a verdict against him, applied for his aid in securing a new trial, and assured him he would not survive a repulse. A carpenter, half distracted, applied to him to recover his daughter, who had been enticed from his house and ruined. A well-known citizen, who had failed, applied to him to be his second in some duels he expected, and for his professional aid. A lady of fifty-five, who had married a man much younger than herself, consulted him in the deepest grief at finding that her supposed husband had already been married to another woman.

The period of his most active practice after his return from Congress was one which called for the highest abilities in a lawyer; not only were questions of great moment on constitutional points pending from the time of the war, but in those early years reported precedents were but few, and the lawyer had to depend upon his full mastery and accurate application of broad principles. In this there was a very high interest and an absolute need of constructive ability before a lawyer could

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attain any marked success. In all the duties which thus fell upon him, Mr. Ingersoll was a hard worker and achieved a high reputation. He became soon a most dangerous opponent, and was always most interesting to listen to,—so much so that even now, more than a half-century since he practically retired from the bar, I have found among a few of the oldest lawyers a recollection and among a good many others a strong tradition of his brilliant oratory, with a few snatches from speeches of his which exist only thus in memory, but seem in some way to have burned themselves into the very mind of his hearer. But the special characteristics which marked him at the bar will be best considered more at length hereafter, when speaking of him as an orator generally.

We must think of him during a good many years following the war as devoting himself to the practice of his profession, at first apparently in a large degree to the exclusion of other matters, but with a gradual reawakening of his attention to public affairs. He had been and became again later a most active correspondent, keeping up a constant exchange of letters with a great number of people, both at home and abroad; and though a large portion of his correspondence (which he kept carefully) was destroyed after his death, enough remains to show that it was very wide. It was in this way that men of his day procured a

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great deal of the news which we now get from the public prints ; and as Mr. Ingersoll's correspondents were principally men actively engaged in public life, he was no doubt very well informed upon the history of his time. With Mr. Madison he always maintained the friendship which had been formed during the war, and corresponded with him frequently. Their letters show that he had as early as 1817 formed the plan of writing a history of the war with England, and had written to Mr. Madison in regard to papers in his hands bearing upon the subject. In May, 1836, but a month and a half before Mr. Madison's death, he and his eldest daughter went by invitation on a visit to Montpelier, and Mr. Ingersoll had the pleasure of personally renewing his acquaintance after twenty years' interruption. Mr. Madison was then very weak in body, but his mind was clear, and they had long conversations upon subjects of public interest. After his death in June, Mr. Ingersoll published an account ²⁶ of the visit and of the views Mr. Madison had expressed, containing interesting details of his opinions of his contemporaries, as well as of the great questions which were at that time beginning to agitate the public mind.

With Mr. Monroe, too, he often corresponded, and quite a mass of letters has survived concerning a loan he obtained for him in 1822, which illustrate curiously the difficulty in obtaining large

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loans at that day even for the President of the United States. Mr. Monroe's affairs had become straitened by his long absence from home, and he was anxious, moreover, to aid his daughter. He accordingly wrote to Mr. Ingersoll on November 25, 1822, to say that he wanted a loan of fifteen or twenty thousand dollars on a farm of three thousand five hundred acres near Charlottesville, Virginia, which he estimated to be worth thirty or forty thousand dollars. He proposed to mortgage this farm, and offered to have it appraised first by any of his neighbors,—Jefferson, Madison, the Barbours, or Judge Nelson, as the lender might prefer. If this could not be obtained, he would like to have one to five thousand dollars loaned him for a short time on his note; but he cautioned Mr. Ingersoll against bringing his name before any bank, nor did he want it mentioned except in confidence to a person presumed to be willing to make the loan. Mr. Ingersoll took the matter up at once, and soon found the larger loan impossible to obtain upon security out of the State and at such a distance, but he did succeed in obtaining a promise of two thousand five hundred dollars upon the security of the mortgage. Mr. Monroe wished, however, to be able to sell the land, and objected to giving a mortgage of such a large tract for so small a sum; finally he mortgaged another smaller tract of ground. He re-

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quested that the mortgage should not be recorded for eight months (the time allowed by the law of Virginia), as he expected to pay it off within that time. As a matter of fact, the loan appears to have been still partially unpaid in 1826, and long before that time Mr. Ingersoll had discovered that the non-recording of the mortgage upon its execution rendered it void as against purchasers, the law of Virginia upon the subject having been changed by a very recent statute. Such were the difficulties of lenders and of borrowers, even in the most exalted station, in those days. It does not appear who was the lender in this instance, the papers having been all drawn in Mr. Ingersoll's own name.

But his aid was occasionally invoked in still more curious cases. Thus, in 1826 he was called upon in a matrimonial venture. A Boston acquaintance, fifty-five years of age, and formerly a man of some eminence at the bar at his home and in Washington, who had lost his wife some six months before, wrote of the dismal woe incident upon his loss, and told how his first impulse had been to fly from the insupportable gloom and solitude of his household and "seek refuge by a tour through Europe, or, probably, if I should continue to exist, by a residence of some years in foreign climes." But soon, he added, the welfare of a son deterred him from this plan, and he de-

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cided he must stay at *home*, "or, rather, where I am." He then went on to say that he had met a certain lady of Philadelphia once some eighteen years before, with whom he had been much pleased. Her manners were then a little too gay and fashionable, but since then, he wrote,—

"there has, of course, been abundant time for the evaporation of all the more volatile properties of her more youthful character and for maturing and consolidating its more substantial parts, so that, at this time, she must, I should suppose, be exactly such a kind of woman as a man even of sedate disposition might learn to admire and cherish."

He had learned recently, he added, that she was still unmarried, and he wanted Mr. Ingersoll's opinion whether the connection would be a desirable one for him, and further wanted him to "make some *incidental* inquiry as to the present state of her mind in regard to such an alliance." The black gloom of the first part of the letter melts away into a half-jocose style when the writer is dealing with the proposed new love. A second letter shows that Mr. Ingersoll had for some reason advised against attempting the alliance in question; but his correspondent, though thus convinced that the "*fair personage*" he referred to would not suit, hoped for some hint or advice from Mr. Ingersoll as to some other suitable feminine, in re-

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gard to whose character he could only say in general terms, "The nearer the approximation in everything to the exact similitude of *that One*, whose loss, I know, can never be wholly repaired, the nearer would be the consummation of all my sublunary hopes and wishes." With this the correspondence ends, nor do I know what was the outcome of the widower's plans.

The following letters will give some idea of Mr. Ingersoll's life, and the diary from Washington in 1823 enclosed in his letter to Mr. Rush contains an extremely interesting picture of the then life in the capital and of the political struggles of the day :

TO ALEX. J. DALLAS.

" PHILADELPHIA 31 March 1816.

" MY DEAR SIR,—Appearances indicate the failure of the bank, and your resignation, both of which I regret. On s'ennuie de tout say the people who have provided more liberally than any other against that disorder. *Laudet diversa sequentes*. But are you, excuse the question, are you quite sure that the first time you take your seat in a hot room at a bad tavern round an arbitration table you will not recur to the Treasury, or at least to public life, with something like a memory of joys that are past? Our friend the Attorney General * and I have often agreed that you excel at the bar, but that you were made for public life. Pray note the diversity. Why not have George and

* It has been already said that Mr. Ingersoll often referred to Mr. Richard Rush by his then official title.

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me to buffet it in the sea of law, till forty five or forty?—I mean to shut up shop then—and recreate yourself in some more elevated & less teasing sphere . . .’

TO ALEX. J. DALLAS (undated).

“MY DEAR SIR,—I presume by your silence that you found my last letter unanswerable. I had some conversation on the subject this morning with George. . . . You and Mr. Monroe, with our friend Mr. Attorney may do a world of good. I long to see the Executive Department what the constitution designed it to be, an independent one, not the handmaid, the ancilla, I might say, the strumpet of the Legislative. On all public considerations your staying in the Treasury is, without compliment, a national desideratum. As to the private views, it would be impertinent in me to analyse them. Certainly you have earned the otium and the dignitatem, both by your long labors as a professional and provincial man, and by your most daring and generous relinquishment of the fruits of that field for the stormy and alarming ocean of the general government at the time you braved its portents and espoused its fortunes. . . . But to a man of proper ambition there is a powerful attraction even tho’ it costs. For instance—what a gratifying triumph over disaffection and meanness and stockjobbing and pursepride you gain in the publication of your late manifesto, parts of which I have read four times since I first met with it this morning. Last February there was not a bank director nor a broker who did not value himself at a much higher rate than the credit of his country, and now the whole genus is bouleversé at the footstool of the Treasury—where they ought to be. Without a compliment again, you have shewn

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those profound folks that you understood their own business better than they did themselves."

TO ALEX. J. DALLAS.

"PHILADELPHIA 27 April 1816.

"MY DEAR SIR,—I have been too much occupied lately to write you an account however short, of George's début, which he made in the Circuit Court, in a manner to do him great credit and afford you great pleasure. . . .

"If you are really returning to the bar I wish most heartily that you could have undertaken the present session of the Circuit Court with us, for (in dreadful confidence imparted) my colleagues, Mr. Rawle and my good father, in Oliver Evans' and the Spanish cases, are so frostbitten with caution & reserve that after being signally defeated in the first I am afraid our prospects are by no means brilliant in the last. Mr. Rawle spoke yesterday in the king of Spain and Oliver's, and—if I had been retained on the other side I would have been better pleased with his performance. Oliver Evans has only run away under nonsuit and lives to fight another day—but I doubt whether his most catholic Majesty, after next Tuesday will be able to maintain his persona standi in judicio [*sic*].

"The question of who was the true king is but faintly agitated on this trial, and that there might be no doubt on that point, Judge Washington dined yesterday in company with one of the monarchs at a gentleman's table. What a commentary on recent events! and on the inherent vicissitudes of humanity! Joseph, whose title is Count de Survilliers, has taken Lansdown and means to abide among us. Several gentlemen have visited, and some have entertained him—among the former de Kantzow, on

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the strength of his near connection with the crown prince. We had at table yesterday the exking, Count Regnault de Saint-Jean d'Angély, Generals Clausel and Lefebvre-Desnouettes and some of their attendants. The king of France has treated Madame Joseph with marked attention, offered to except her and her daughters from the clause of proscription against the Bonapartes contained in the Amnesty Act, and, on her declining to separate her fortunes from her husband's, sent her permission to remain in France as long as her convenience requires. Joseph is a good looking middle aged man and talks, I am told (for tho' I have had two or three little entretiens with him, I have not heard him) without any restraint of 'quand j'étois roi de Naples' and 'quand j'étois roi d'Espagne.' He did so, I know, yesterday to Gen. Izard who sat between him and me and mentioned it to me the moment afterwards. They were perfect strangers. As you are to be vis à vis sa majesté this summer on the banks of the Schuylkill you will have the means of taking his altitude yourself. He receives and returns the visits of such persons as think proper to call on him and professes, I understand, to prefer the society of Philadelphia to that of New York. . . ."

TO ALEX. J. DALLAS.

"5 August 1816.

"MY DEAR SIR,—Brevity is the soul of such an Inscription²⁷ as that designed for the Capitol and I have not time to be brief—I do not like the re-*it*-erated *it* in yours, and would certainly *put out* the Attorney General's *torch*—with which exceptions I shall be content to find either of your specimens on the Capitol when I go to Congress again in the year 1832."

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TO RICHARD RUSH.

“PHILADELPHIA 28 September 1816.

“DEAR RUSH,— . . . You see we could not even put him [Mr. Dallas] in nomination here, hardly so at least, much less elect him, for Congress. We are shivered here to little atomies as Queen Mab, I believe it is, says, tho' I think the prospect for next year is somewhat more encouraging. It is obvious that Pennsylvania will then undergo one of her great political convulsions, such as those of 98, 1805 & 1808, but my present impression is, a remote one, to be sure, that all will end well, and not the worse for the purification of the tempest. The Aurora is active, malignant, and, within the banks of the Schuylkill & Delaware, efficacious too. That paper is too powerful for the Press. The son writes as much and better than the father, and they have nothing else to do but to compose their paragraphs & columns whereas the other Editor is not only alone, without the same readiness with his style, but engrossed besides with a power of advertising patronage and other means of making money to which he bends his force. His second letter in answer to young Duane shows what he could if he would, but instead of composing two or three sheets a day he does not favor us with more than as many lines generally, and they are not powerful in proportion to their brevity. I doubt whether even Seybert & Anderson, who are on both tickets, will be elected, so deep and bitter are the dissensions now prevailing. The Clinton project I am told was completely mortified at Carlisle, tho' they say old Hiester is at the bottom of it as I see Reed is at the top. . . .”

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TO RICHARD RUSH.

"PHILADELPHIA 23 April 1817.

"DEAR RUSH,— . . . We are beginning to be quite animated in Pennsylvania with the canvass for Governor. My friend Sergeant (Tom), who is a partisan, allows Mr. Hiester to cross the Susquehanna with a majority of seven thousand, picked up principally in Philadelphia, Lancaster and Berks, where it is supposed his name will preponderate heavily, and then overcomes him, nevertheless, by a tramontane vote which is to devour the 7000 and leave a final balance of 13000 in favor of Mr. Findlay. It is an important election. Should Mr. Hiester succeed, I presume the plan would be a coalition with Governor Clinton to secure all the Eastern and middle States to Maryland included for his presidency in 1821. That would yield about 118 votes. Gov. Snyder has certainly lost ground latterly, especially in this quarter where some of his late appointments have been shocking, for instance Armstrong to be a Judge. Perhaps too the setting sun is always apt to be shorn of some of his radiance. Sergeant says that Armstrong and such appointments are made thro' Mr. Boileau's influence to bring odium on Mr. Findlay, who succeeds to the support of Mr. Snyder's party tho' it is generally considered that he succeeds against the Governor's wishes. To say the least of our approaching struggle it is more stirring than any since that of 1808, and a much more doubtful one than that of 1812. To surrender all this side of the Allegheny into Mr. Hiester's hands is giving up a very strong first position. . . ."

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TO RUFUS KING.

"PHILADELPHIA 27 June 1818.

"MY DEAR SIR,— . . . I may say without a compliment, that, as far as I have heard it mentioned, your late admirable speech on the new navigation act has been universally and highly commended for its information, liberality and method. I read it with uncommon pleasure as an excellent specimen of what a parliamentary discourse ought to be, and a most powerful argument on an important subject. If it should prove to be your valedictory, it is an enviable close to an elevated public life ; and if not, it is the best testimonial that can be afforded that such a public life should end only with the close of life itself.

"For the last three or four years a scene of professional occupation which commands all my time has deprived me of the occasion, and indeed almost the faculty, certainly the fondness I used to feel for sociable correspondence : but of none of the fondness with which I shall never cease to cherish the recollections and proofs of your intercourse and eminence ; and tho' unable to write you letters, in token of my respect and regard I am . . ."

TO RICHARD RUSH.

"PHILADELPHIA 23 February 1823.

"DEAR RUSH,—I left Washington at six o'clock on friday morning, and, after 33 hours incessant riding in the mail stage, got home yesterday to dinner. When I passed the Susquehanna on the 4th of this month it was free from ice and we were carried over in a ferryboat—Night before last I walked over on as fine a bridge of ice as can be, strong & dry.

"My stay in Washington was one week less than I had reckoned on, and I have returned fortunately before the

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roads break up, when as you know the travelling for some days is very bad.

“Feeling, as I have for some time past, that the balance of trade has been with you for the last twelve month, now that you have got at last into the true currency for correspondence, with your Canning and Wellington and Bentham dinners, as well as other such very agreeable consignments, and not chusing to be under such obligation as I felt without some sort of return, I determined to write down every day something of the Washington small talk for your amusement, supposing that no coin would be more acceptable to you & Mrs. R., and that the smaller the better. The foregoing * eight & twenty pages are the result.

“Yours very sincerely”

“*Wednesday 5 February 1823.*—The Drawing room this Evening neither so crowded, nor, I think, so pleasant as I have known such assemblies formerly. Mr. Adams, Mr. Calhoun & Mr. Thompson† were there, not Mr.

* I have taken the liberty of transposing this letter and introducing it before the diary, which it follows in the original. It is hardly necessary to remind the reader that Mr. Rush was then minister to England. Mr. Monroe was near the middle of his second term as President, and intrigues were already rife for the succession. The foot-notes are marginal notes by Mr. Ingersoll, evidently added at the time the diary was written; explanatory notes by myself are indicated by my initials.

† Smith Thompson, of New York, Secretary of the Navy, formerly Chief Justice of the Supreme Court of New York; soon appointed to the United States Supreme Court.—W. M. M.

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Crawford—all the Judges except Washington and Todd, the latter detained at home by a fall said to be serious—Mr. Clay in fine spirits—I understand that he talks unreservedly of his prospects of the Presidency and says that he is confident of his success. France represented by Count de Menou and old Mr. Petry. England by Mr. Canning, Russia by Mr. Ellisen, Sweden by Baron Stackelberg, I don't know whether the Mexican minister * was there, Mr. Anduaga † spends the winter at New York. I saw Mrs. Mason's fine black eyes at a distance but had not an opportunity of speaking to her.

"6 February.—Went to Court this morning for the first time—There is an uncommon number of lawyers here this term—Mr. Emmet, Mr. Cheves, who is now a member of the Philadelphia bar, Mr. Webster, who, I think, may be considered since Pinkney's death as the most eminent practitioner ‡ in this court, Mr. Ogden, Mr. Blake of Boston, Mr. Rowan and two Hardins of Kentucky, Mr. Harper, Mr. Winder, Mr. Hoffman, Mr. Sergeant, and others whom I do not know or remember—There is some confusion in the business owing to the sickness of the Attorney General, who is again unable to attend, as he was also at the last term. §

* Don José Manuel Zozaya, the first minister from independent Mexico, had been received by the President on December 12, 1822.—W. M. M.

† Chevalier Don Joaquin Anduaga, minister from Spain.—W. M. M.

‡ "I think Genl. Harper has done the most business."

§ "He has got well & attends. They say Pinkney was killed by his physician's giving him an emetic when his complaint was apoplectic."

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"About 3 o'clock I went into the house of representatives where the galleries were crowded, and nearly all the Senate, having adjourned, in attendance to hear as was expected an angry, personal debate. It appears that some papers communicated to the house last Session from the Treasury have been subjected to alterations, by marks, omissions, marginal notes and underscoring. Mr. Cook of Illinois, who is remarkable for his active hostility to Mr. Crawford brought up this affair with a resolution for enquiry with a view to his prejudice. The special committee reported an entire exculpation of Mr. Crawford and his clerk Asbury Dickins, and Gales & Seaton the printers of the house, who were the persons implicated. On this result some of Mr. Crawford's hot friends wish to turn the battery on Mr. Cook, and as it appears that a member of Congress first broached the accusation by an article in a Newspaper called the Washington Republican which is published here by McKinney, their effort is to compel a disclosure of that Member's name (which is withheld), with an avowed view to his expulsion. Yesterday when the resolution was moved, some very insulting expressions were used by Mr. Gilmer, of Georgia, and some strong insinuations thrown out by Mr. Hardin & Gov. Wright, against little Cook, as he is called, who defended himself with considerable ability. The gentlemen where I lodge thought there must be duels. But the debate to-day was peaceable enough. I heard Archer, McLane, Saunders, Sterling, Smythe, Reid, Tatnall, Ross & Rhea, some of whom, particularly Archer & McLane spoke very well. Finally the motion for another committee of enquiry was adopted by a large majority. Among other listeners in the lobby was a very old gentleman in very oldfashioned cloathes with a long goldheaded cane in his hand who

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on enquiry I found to be John Taylor of Caroline, the Bentham, one may say, of this country, now in his seventieth year, as I heard him say, a little wrongheaded in his refinements, but yet a highly respectable & even exemplary character. Randolph was there coiled up in a large great coat, silent, he says sick, and, as others say, very much out of spirits. I hoped to have found him overflowing with England and entertainment but I am told he does not talk at all. By the way Mrs. Decatur has resumed her gaiety, and sees a great deal of company at Kalorama, tho' she does not go into it abroad, I understand—Further by the way the French legation, as Count de Menou expresses it, have been connected by marriage lately with the American administration, in the union of a Mr. de Bresson with Miss Thompson one of the daughters of the Secretary of the Navy, which has called forth a week of festivities from rather a calm winter. My landlady—Mrs. Wilson's account of it is that they were first married 3 times, then withdrew for a week from all society and observation, even that of their nearest connexion, and then attended balls every night in the succeeding week.

“7 *February*.—I had some interesting conversation to-day with Mr. Poinsett* concerning Mexico, and Cuba where he has lately been on public service. The climate & soil of Mexico, he says, are delightful. The finest market in the world—fruits & vegetables of all kinds all the year round—plenty of game of all sorts & excellent meats. But the population the most ignorant & wretched.

* Joel R. Poinsett, then a member of Congress from South Carolina, had recently been on a special mission to Mexico, and some years before had been on public business through much of South America.—W. M. M.

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The Lazzaroni of Naples are incomparably superior to the class called Lepros* in the city of Mexico. The travelling execrable. The Mexican minister who is here almost frozen by the cold weather,† is astonished at the excellence of the taverns & the accommodations for travelling. Mr. P. represents Iturbide as an abominable despot, who was a bloody executor of the Spanish power while it prevailed, and is now as tyrannical a master himself. His election was a mere contrivance accomplished by two regiments and the Lepros—he is an usurper of the most atrocious character who maintains his supremacy by means as bad as those by which he obtained it. There are about 12 thousand regular soldiers throughout the Mexican Empire, and a good militia, but they are inimical to Iturbide. Mr. Poinsett thinks his power can not last—he has placed money in this country with a view no doubt to funds in case of his downfall. The next experiment will be of a republic—and finally the several provinces will set up each one for itself. Such is Mr. P.'s opinion. Santa Ana is a man of no principle nor talent—but Guadalupe de Victoria‡ is an honest & popular republican.

“Cuba, he says, is ripe for Union with the U. S. whenever Spain is forced to change her constitution. Even the old Spaniards; and the Creoles to a man—he had direct

* This is the word used by Mr. Ingersoll, but I have not been able to ascertain its meaning. Should it not read mestizos?—W. M. M.

† “He spends all the cold weather in bed—by which he will be bedridden soon.”

‡ Guadalupe de Victoria became President of Mexico in 1824.—W. M. M.

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communications to this effect with many of their most influential characters. They do not however desire any change until Spain compels it by some radical alterations in her present constitution. Whenever she does Cuba will ask for our protection, and for admission into the union. If we reject them, they will then apply to England. But at present Mr. P. says they are extremely averse to her superintendence. There have been two English agents at Havana for some time. Cuba has had an agent here in communication with our government, his name is Morales.

“It is a very momentous measure for the decision of this country. Much may be said against it. But I have long tho’t that whenever Cuba presents herself, without any forcing or manœuvring on our part, we must e’en take the good the Gods provide us. The Western States are all anxiety for it—to them Cuba in British hands would be intolerable. The Southern States have no objection. The middle and east would consent, tho’ the latter perhaps not freely, as it would add immensely to a preponderance which they see with jealousy & dread already.

“I understand that Gen. Jackson has been nominated Minister to Mexico without knowing whether he will accept the appointment; and that it was first offered to Mr. Brown who declined it. Benton Prevost is before Senate as Chargé to Chili, or Lima, I forget which. But they threaten to negative the nomination if not withdrawn.

“*8 February.*—Water froze in my chamber last night close along side of a fire which when I went to bed at eleven o’clock was a large one. All January was open pleasant weather, but there have been some days this week of that fierce cold for which I think Washington is remarkable. This is a bitter cold day.

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“Last evening at Mrs. Brown’s ball Mr. Clay went up to the table where Mr. Adams was playing chess with Judge Thruston, and said, with that Kentucky frankness which was so much admired by Ld. Castlereagh, Well, Mr. Adams, always playing great games.*

“Among a number of persons there of your particular acquaintance were Mrs. Mason and her son the Secretary of Legation to Mexico, Mrs. Hay enceinte, Miss Nancy Spear, Mr. Payne Tod who reports your friends Mr. & Mrs. Madison as perfectly well, Miss Hopkinson who is on a visit to Mrs. Adams, besides the thrice married bride and her tall good looking french husband, with hosts of Secretaries, attachés, dancers & figurantes of all ages and conditions. My friend Mr. King, I find, is become a constant frequenter of all these revels—looking remarkably well. It is a good thing for Washington that Mr. Brown declined the Mexican mission, if he did, as they say he did, for his house sustains the largest & best part of the American hospitality of this holyday metropolis. Very handsome dinners and very frequent evening parties of all kinds, Sunday Evenings and all, notwithstanding Mr. McIlvaine’s preaching against them to his well disciplined congregation at Georgetown.

“*9 February.*—My political oracle Miss Spear, without indicating her individual preference, says that present prospects flatter Mr. Adams’s election to the presidency, and it is certain that he has gained a great deal of ground since this time last year when he stood low. It was confidently said that Maine to a certainty, probably Newhampshire, and possibly Connecticut would vote for

* “The wags say that Mr. Adams is writing a long answer to the attack.”

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Crawford, and that Vermont would unite with New York, pronounced to be undoubtedly with him. But late appearances seem to say that all New England will vote for Adams, which gives him a very firm footing at least, and, strange tho' it may sound, I am assured by persons to be relied upon that Baltimore is with him, together with many other parts, perhaps most, of Maryland. These things shew that the members of Congress neither represent nor regulate the sentiments of their constituents on this great question, which for sometime will absorb all others; for Holmes, Chandler and Hill the leading members from Maine, Smith, Lloyd & Kent, the leading members from Maryland, are supposed to be, if not committed, at all events, attached to Crawford—Adams is by no means unpopular, Crawford is by no means popular, in Pennsylvania, yet Lowrie,* who is now, I take it, the most eminent & able man of the State, and Roberts & Lacock, and, as I am told and believe, most of the standard democrats there are the advocates of Crawford; and Ingham, Rogers, Dallas and all those who rally round the Franklin Gazette, after submitting, as they know they must, to renounce their nomination Calhoun, would rather I believe, go over to Clay than to Adams. Crawford's friends, I am assured, are the majority now in both houses of Congress—how it will be in the next Congress I don't know.

“I had some curious chat the day before yesterday with a personage who told me that Calhoun had no idea of a hope till he found that Adams cut so small a figure; and that then he went into Pennsylvania for a nomination, while poor Lowndes, notwithstanding his high character

* Walter Lowrie, then United States Senator from Pennsylvania.—W. M. M.

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& feelings, did the same in Carolina, where his premature nomination was the consequence of a race between him & Calhoun for the Southern interest. Till that autumn it was supposed that the candidates would be Adams and Crawford. But Gov. Clarke having beaten Crawford in Georgia, it was said that he was down there and of course every where else : on which the two gentlemen of South Carolina put in for the vacant Southern interest.

“ In all these reports to you I state what I have heard, not what I think. My intelligence is of course derived from my associates, and my digest of it naturally tintured by my own feelings. I have my predilection, which you may guess if you can, and very likely you have, or believe you have at any rate. But you must give me credit for an endeavour to impart intelligence as I gather it, and not my own views, or wishes—I never have concealed them and never shall, especially from you. But in this Washington Diary composed for your edification & amusement, I am a chronicler *et ne plus ultra*.

“ I forgot to add to Mr. Poinsett's communications that he thinks our pirate expedition a folly. He was at the little place called Regla over against Havana, inhabited by pirates, who sell their booty to the people of Havana almost without disguise. Whenever necessary they are fishermen, coasters, market people and what not. When Porter's squadron appears they will be sailing about in their piratical cruisers as the craft of the island—how can he capture them. And if he should commit any strong-handed measure ashore, it will disturb & mar that attachment to this country which is now pervading and powerful there.

“ I don't know whether you will agree with me that this Expedition is another proof to the almost annual evidence

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the U.S. afford of their belligerent tendencies. In 1811 there was Gen. Harrison's war in Indiana. In 1812 '13 & '14 the war with England. In 1815 the war with Algiers. In 1816 or '17 the war with the Seminoles & Spain. And now the war with the pirates. Our temple of Janus is hardly ever closed. We are now asking Mexico to extend our frontier to the Colorado, I think it is.

"I had a tête à tête of two or three hours with the President yesterday : in the course of which he went into a long detail of his losses & incumbrances by public service beginning with his french mission in '94—of his English expenditures many of the items are suspended yet, but he hopes they will be allowed, perhaps by Act of Congress, when he retires, as he will do, after 40 years of public life, poor, and probably in debt—his Albemarle Estate has been lately valued at 67 thousand dollars exclusive of the improvements—he means to sell that property if he can and live in Loudoun where he has been building & improving—he assured me that he paid \$1912 for the use of the mail stage alone on his visit to the eastward from Philadelphia to Portland & Sackett's Harbour, which he thinks ought to be reimbursed to him, as he declares that he made that tour with a view to the promotion of the public defences—he says that Mr. Pinckney & he were induced by the defenceless state of the country to sign the Treaty which Mr. Jefferson rejected, and that in his Richmond letter, as he called it, he announced the policy which he has since pursued.

"His whole discourse was a fine lesson for young statesmen, the point & moral of the whole being that poverty & ruin are most apt to be at least among their wages—he said he was sure that the Secretaries must all be great

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losers, as it is impossible for them to attend to private concerns. They ought to have in his opinion houses at the public charge & ten thousand Dollars a year. I enquired of Mr. Jefferson's affairs. Mr. Monroe says he has lost \$20,000 by suretyship for Wilson C. Nicholas. I enquired also of Mr. Madison's affairs who is free from debt Mr. Monroe says. He took the advice of his cabinet, so he told me, at the beginning of this session, after coming to a determination himself, as to the present system of expensive entertainment by the President. They dissuaded him from relinquishing it, on the ground that it would be blamed as meanness and that he had better go on as he began—he asked my opinion. I told him that I tho't he had better go on as he began, but that I had long said that it was a wrong system and that the Presidents would see the necessity of beginning by a relinquishment of it. They must see company no doubt. But I should suppose that a dinner a month would do instead of 3 a week—perhaps they might have done with their promiscuous entertainments altogether and invite only their old acquaintances to occasional dinners.

“After all this moralising he kept me to dinner. We had Judge Dade of the Northern Neck, Judge Johnson of Louisiana, of the Senate, Col. Benton * of N. Carolina of the H. of R., Dr. Everett the President's new private Secretary & Mr. Hay—and some North Carolina wine called Scuppernong very pleasant, something like Muscat. I drank nearly 3 glasses of it, from which I am now suffer-

* It is not clear to whom this refers. Colonel Thomas H. Benton was Senator from Missouri, and there was no other Benton in the House.—W. M. M.

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ing with an indigestion the common consequence of wine to those who are not in the habit of taking it.

“Among the charges allowed foreign ministers Mr. Monroe particularised postage to complain of the very small sum allowed him for it, and said that Mr. King’s charge had been 350 pounds sterling, I think it was, and that Sir Francis Baring had paid 2000 guineas a year for postage. This I had heard him state before. I one day mentioned it afterwards to young Francis Baring the son of Alexander Baring who has been here, perhaps you know him, who said in answer, yes, it has been 4000 pounds in a year. Can that be possible? \$19000 & upwards paid by a house for the postage of one year’s correspondence! I am aware that they charge arbitrarily, by estimate, and not exactly, but even granting that, it seems to be impossible. It far outdoes poor Mr. Monroe’s mail-hire, blackmail, as he might truly call it. Bache* waited on him in Philad. he says and informed him that the P.M.G. had given orders for his transportation by the mail which was at his service for the purpose. The President said it would be very acceptable but he had no rights to it for nothing, and when his bill which he insisted on paying came in it was nearly \$2000 for that one item—he paid besides the horsekeep &c.

“*12 February.*—My conversation with the President was so long & multifarious that I dare say many things occurring in it will come to my recollection hereafter as some do now which I did not think of yesterday. I told him that I would resign in your favor, if you chose to come to the bar again and to take the district Attorneyship as an introduction: and that I should endeavour to have you

* Richard Bache, Postmaster at Philadelphia.—W. M. M.

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nominated as you were before by Pennsylvania for the Vice-presidency—to neither of which suggestions, I think, did he make any reply.

“In a long talk I had the day before yesterday with the Sec. of the Navy about the Presidency I think I gathered his inclination for Mr. Adams, tho’ of course he was very wary in what fell from him. We agreed in his eminent attainments but I suggested the strong indications at present of his having nearly all the federal votes, and all those of the most offensive effect in party estimates, such for instance as Hopkinson & Walsh who appear to rally to him instinctively, the result of which would be as in the cases of Clinton & Hiester to force an attempt at coalition & distribution always impracticable & pernicious. Mr. Thompson seemed to think that Mr. Adams might avoid that, but said if he did not his downfall in 4 years was inevitable. I dare say he might avoid it in *framing* his administration, but I don’t believe it would be possible to do so in *the course* of his administration. A large, intelligent, respectable and bold party *would* be heard and felt, and he would have either to gratify them or to break with them. There are no other alternatives. As you have often said there are but two parties, between which every politician must choose. Otis is in nomination for Governor of Massachusetts, and I believe he will be elected against Eustis his competitor who has been forced to give a pledge of his adhesion to Adams. Now see at once what a monster such a state of things is. In the federal address announcing Otis’ nomination his principal merit is declared to be his having attended the Hartford Convention. All Eustis’ democracy could not save him from submission to pledging himself to a man the loudest of whose adherents in New England will be the partisans of the Hartford Con-

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vention. To be sure, as Mr. Thompson justly remarked, Adams can't prevent the federalists voting for him, and electing him should it be so, but can he prevent their in part at least ruling him afterwards? if they should be able to say to him, we made you President.

"I understand that the Spanish mission was offered to Wirt before it was given to Nelson : and I believe that Cheves is to be at the head of the Commission to be organized under the late arrangement for indemnifying the owners of Slaves.*

"*14 February.*—I dined yesterday at Mr. Adams's with a large party of Members, most of them, I imagine, unknown to you, except Mr. Holmes of Maine and perhaps Mr. Stevenson of Virginia. I mentioned what Joseph Bonaparte told me a few days ago that in his opinion the reasons for a French or rather a Bourbon invasion of Spain are stronger than I thought. 1. because Spain is a perfectly conquerable country as he insists—2. at this moment at least half the nation is with the King—3. the Bourbons must go to war with free principles or fall by them, and they had better do so now while they can have the aid of the holy alliance than hereafter when it may be dissolved or indisposed—4. a respectable army of french may be found faithful to the Bourbons, altho' more than half the nation may be disaffected to them : and a Bourbon prince at the nominal head of such an army might reap some laurels of which the Bourbons are much in want—5. on the 7 July, so Joseph assured me he knew, the Cortes were so much alarmed by the insurrection of the troops that they sent to the King & offered terms, but he answered no, he would have no terms but all he wished.—Mr. Adams denied both the fact & the argument. Mr. Poinsett too dis-

* "Since appointed."

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credits it. By the way he says that the Emperor Alexander frequently spoke to him of the conquest of Turkey as a favorite measure. Mr. Adams seemed to think that there is no reason to apprehend England's attempting to take Cuba, but in the event of war between France & Spain much more reason to think that France will. Mr. Adams ascribes his uninterrupted health during the several sickly seasons he has lived in Washington to swimming—he walks a mile to the Potomac for 8 successive mornings from 4 to 7 o'clock according as the tide serves, and swims from 15 to 40 minutes—then walks home again—for the 6 mornings of low tide he abstains—swimming 8 days out of 14. I have no doubt that it is an excellent system.* He lives in the house on F. Street in which Mr. Madison used to live and afterwards Cutts, to which he has added several large rooms, another house in fact, that makes it spacious enough. Every Tuesday Evening during the Session Mr. Adams sees company, and every assembly is a dancing one—as indeed all their large evening parties are here. There was a large one at Mr. Calhoun's last night. There was one at Taylor's on Monday—and week before last I believe there was one every evening. Of your kindred there were last night Mrs. Mason with her son & 2 daughters, the 2d & 3d—Miss Lloyd, and Miss Steele a very pretty girl. I had appropriated this morning to walking to Georgetown & paying my respects to them, and afterwards perhaps to Kalorama but the rain has kept me in my chamber till now two o'clock, which, by the bye, is not long after breakfast in Washington. Mr. Adams gave us a very good dinner yesterday, there were 4 servants in waiting; and as he gives such dinners

* "He is extremely thin."

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at least once a week, I believe, during the session, I dare say the President is right in thinking that \$6000 a year does not pay for all his hospitality. It seems to me that the dinner giving system has increased very much since I first knew this great watering place—will *you* let me call it—where amusement is a business, a need, to which almost every body is given up from 5 o'clock till bed time.—All the Secretaries give dinners & balls frequently, I fancy weekly, and many other persons who, I should think, can ill afford it. The court & bar dine to-day with the President. In my opinion a Judge should never dine out in term time except on Saturday or Sunday, if then. In England I am told they hardly ever do: and I fancy the pillars of Westminster hall would marvel much if they could see the Supreme court of the U. S. begin a day's session, aye, after robing & taking their places, by receiving from the Marshal their cards of invitation and taking up their pens to answer them before the list of cases is called for hearing. I asked Mr. Adams yesterday if he ever met the judges at dinner in England, he said he had Ld. Ellenbro' once & Sr. Wm. Scott often. What is your better experience? I should like to know and I wish you would be particular in informing me.

“*Friday Evening.*—We had a prodigious shew of Lawyers at dinner at the President's, among them Mrs. Rush's brother who attends the Supreme court to argue a case in which seventeen * millions of acres of land are in controversy. Young Pinkney was there, the Russian Secretary, with a large snuffbox, the foolish fellow, I could say, to unhinge his nerves & spoil his voice. They say he's a

* “*Seventy*—what wd. an English lawyer say of an argument involving more land than all England, I believe?”

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clever young man tho I must confess my first impressions, in which I allow that the snuffbox has great weight, are not favorable. Gen. Van Rensselaer was also there, and a Mr. Elliott of Boston, I don't know whether of the bar. Excepting them the whole company of nearly thirty were Judges and Lawyers. We had two kinds of very good American wine, the Scuppernong of North Carolina, of a light color and taste like Muscat, and what is called Constantia made within 5 miles of Georgetown.

"The bar had a meeting to-day at which Mr. Wirt presided and Messrs. Clay, Harper and Winder were appointed a Committee to devise means of procuring a Law Library, of which the want is deplorable here, and also of obtaining if practicable an establishment in which all the lawyers attending the Supreme Court may be accommodated with lodgings together, which would be a convenience I dare say.

"*Saturday Morning 15 February.*—Genl. Harper who sat next to me at dinner yesterday suggested a notable project indeed for obviating the many difficulties supposed to attend President's Elections, that the President before he retires should designate 20 young men not exceeding 25 years of age from whom he should select one to be Vice-President, the said youth to begin his functions forthwith as V. P., the other 19 to remain in reserve to take his place in case of his death, he to be V. P. for 20 years, and thus educated at 45 to become President without any other choice and to remain so for 20 or 10 or any other given number of years, then, after in like manner designating 20 other Presidential colts for training, to retire. Was ever such nonsense from so sensible a man! *

* "Was it not meant as a satire?" [Marginal note by Mr. Rush.]

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"*16 February.*—I called yesterday to pay my respects to Gov. Lloyd * who is established with all his family at O'Neale's in the same apartments in which I spent the autumn and winter of 14-15. Mr. Lloyd has been very sick but is much better, he is & has been all the session invalided with flying gout. It is delightful to me to hear him talk politics, so much tone, openness and aboriginal principle. He is a strong advocate of the election of Crawford on the basis of the old democratic party which he says must rally & do it by a caucus here, or surrender its ascendancy & combination. He thinks that Mr. Monroe has done more harm to that party than was ever done by any man, by his era of good feelings: and I confess I seconded cordially his opinion that parties on principles are the only alternative for parties for men, parties for place and parties for the East, the South & the West. I asked him how Maryland stands, and if Mr. Adams has not the ascendant here. He said that his adherents had been taking great pains to forestall public suffrage and that the Yankies at Baltimore where they have the newspapers have made considerable impressions. But that they were disappointed in the election of the Governor and General Smith, and that when the people come to understand that the bulk of Adams's adherents are federalists he does not believe they will submit to such leaders. He acknowledged however that many of the most established democrats are adherents of Adams. I did not hear him say so, but I believe that even your old & steady predecessor Judge Duval † is of the number.

* Edward Lloyd, ex-Governor of Maryland, was then United States Senator from that State.—W. M. M.

† Gabriel Duval, one of the Justices of the United States

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“My visit to Gov. Lloyd was a suitable introduction to dinner at Mr. Crawford’s where we had Judges Johnson & Duval, Gov. Wright, Fenton Mercer, and many other members Judges and I believe district attorneys. Our host gave us one proof of his right to succeed Mr. Jefferson in not only a very handsome dinner, which is common enough here, with a service of plate &c., but a very good one, the meats well selected & well served, warm and well dressed, in that respect at least very superior if not in contrast to the President’s dinner the day before. I should not forget among other enjoyments comfortable rooms, whereas at the President’s they were miserably cold, so much so that Mr. Clay said they should be better warmed in his tenure. From Mercer who sat on one side of me I understood that when in London he knew of Pinkney’s going into the fields to declaim and attending the debating clubs ; and from Mr. Hamilton who succeeds poor Lowndes I learned what I did not know before that he died a few days after getting to sea and that they committed his body to the deep—a painful aggravation, I should suppose, of his wife’s feelings. Gov. Wright* is rather younger if anything than he was ten years ago, tho’ now in his seventieth year. He married about a twelvemonth ago a very fine young woman I am told, and had a child born about nine months & ten days afterwards. Stillborn, but that’s nothing, said he to me, for I’ll soon have another. I don’t find that there is any falling off in his old attachment to talk of things not com-

Supreme Court. Mr. Rush had succeeded him in 1811 as Comptroller of the Treasury.—W. M. M.

* Robert Wright, then a Representative in Congress from Maryland.—W. M. M.

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monly the topics of conversation & to call them all by their naked names.

“Mr. Holmes of Maine who comes you know from the most abnebulated [?] East, ultima Thule, has his wife & daughter with him, good looking & I believe well bred females enough, but of most puissant bodily dimensions which has induced Mr. Lloyd of Boston to call them children of the mist.

“The President told me the other day, what I had heard him say before, that he never reads the Newspapers. He mentioned to me in 1817 that he had never read anything like a history of the American Revolution. I imagine he has the smallest library of perhaps any eminent man in this country, which is not, either, the meridian of large private libraries. What a singular contrast this makes between him & Mr. Madison or Mr. Jefferson or Mr. Adams, who read everything and limit their collections of books only by their means. Mr. Adams has an excellent library in the Department of State, on which I constantly draw, being so near it, for books. I began last night Judge Johnson's *Life of Greene* which I got there—a work composed of the best & most authentic materials, but written in the hard and ambitious and vulgar, tho' often nervous style of his compositions. I am well assured that Mr. Rodney,* who is going to Buenos Ayres, is not worth a cent in the world except from 15 to 20 thousand dollars worth of books, with 12 or 13 children to boot. I have eleven children said Mr. Clay to me—I have but eight said I. Mr. Hamilton told me yesterday that the 12 Judges of South Carolina have 96 children,

* Cæsar Augustus Rodney was appointed minister to the La Plata provinces January 27, 1823.—W. M. M.

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and the 12 directors of some charitable endowment in Charleston which he mentioned but I forget the name of, average ten a piece.

"I paid a visit too yesterday to a family living at the other end of O'Neale's Establishment whose situation is another of the countless testimonials of the dangers of political ambition. Anthony Morris, whom you will remember, and his daughters Mrs. Nonne and Miss Morris. He who was once Speaker of our Penna. Senate and always a dignified gentlemanlike & I believe respectable man now writes as a clerk under his son in law, Captain Nonne, who himself holds some subordinate place in the Treasury or the Commissariat. But they all attend the balls of which there are to be seven or eight this week and I am bound to suppose enjoy themselves.

"*Monday Night 17 Feby.*—A very pleasant dinner yesterday with my friend Poinsett who eats at the french cook's in the —* buildings. We had a good french meal, I imagine the best wine in Washington, some of his Carolina A. D. and a sociable party of *young* gentlemen, all batchelors together and as merry as crickets. Gen. Van Rensselaer, the patroon, a natural gentleman, amiable without study, Louis McLane, who seems to rank high here, acting chairman of the Ways & Means since Genl. Smith's translation to the Senate, Mr. Hamilton, Mr. Patterson, Mr. Cambreling, Captain Creighton of the Navy, & Mr. Insinger of Holland. So many good & memorable things were said that I have not time to-night as it is now past my usual hour of retirement to make even extracts from them. McLane told me that Randolph is really ill, as he thinks, & declining. I believe I have mentioned

* Illegible.—W. M. M.

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before that he never speaks or even talks, tho' he says he means to return to England in May as he considers it useful for his health.

"In the evening I went to Mrs. Brown's, where Mrs. Cutts was the only lady, except Miss Hopkinson who is staying there. But we had Mr. Addington & Mr. Wilmot, of the British legation, both well informed & well behaved men, old Petry, and other men enough to make up a circle.

"I mentioned the other day that Mr. Adams has an addition to his house. I understand that he bo't the house and built the addition, which has become a very common style here, and is a striking proof of the prevailing propensity to entertainment & gaiety. Mr. Brown's house is so, and if I am not mistaken some others ; like that which Mr. Monroe used to live in, now occupied by Mr. Canning—the additional apartments are literally appropriated to dinners & dances. The Russian is in Decatur's fine house. The french in what was Tench Ringgold's, where Poletica lived.

"To-day I dined at Coyle's on the hill with Hemphill * & his mess. Clay, Cheves & I were guests, Messrs. Holmes, Winn † & Rankin of Mississippi, Mr. Parrott of N. Hampshire, Mr. Baylies of Massachusetts and Col. & Mrs. Wool were, I believe, at home. We had a very agreeable session to which Clay mainly contributed. I should add that his coadjutor in the dispute between Kentucky & Virginia Mr. Rowan was there. Clay says that Canning told him the day before yesterday, as I also

* Joseph Hemphill, Representative in Congress from Pennsylvania.—W. M. M.

† This name is hardly legible.—W. M. M.

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heard Mr. Adams state publicly, that England has no views on Cuba. Clay told him distinctly that we would fight for it should they attempt the possession, which sentiment I find more general than I supposed. Mr. Baylies of Massachusetts a federalist is for it as he said this afternoon. The idea given out is that any English force going there is to protect it from the French who might try to take it, as I heard Mr. Adams say, in the event of war between France & Spain.

“There were a good many slurs yesterday at the President's style of living which is said to be shabby. Mrs. Wilson this eve'g entertained me with a budget of specifications to this impeachment.

“*19 Feby.*—I disposed of two of my causes yesterday and shall return home to-morrow or next day, as a third is fixed for to-day. A characteristic incident occurred to me in court yesterday. I enquired of that disobliging, lazy rapacious fellow the clerk for the rules, which, after some of his usual demurs he at length produced in a manuscript book every word of it in your handwriting, with your name written on the cover as a claim of ownership thus disregarded by this personage who has no copy of his own of the rules of his own court. I have bro't it home to my lodgings and have it now on the table.

“Dined yesterday with Mr. Canning with Mr. Speaker Barbour who is neither a diner out nor a Speaker of the first lustre, and, from all I hear, will be in danger next winter of descending to the floor again, Messrs. Dickerson and Elliot of the Senate, Van Rensselaer, McLane, Condict of the H. of R., Cheves, Ogden, Blake of Boston, Captain Read of the Navy, Mr. Ellisen, Baron Maltitz, Messrs. Addington, Wilmot & Parish, who are of Mr. Canning's family, and perhaps some others whom I don't remember.

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Great display of servants in white & purple liveries, of whom there were five, and two or three others not in livery, complete service of plate, considerable variety of wines &c. But I do not think the dinner was as good nor the entertainment as agreeable as Poletica's, where however I felt more at home which maybe made the difference.

"A bill to settle the Vicepresident's * accounts equitably as you know the phrase is, in other words pretty much on his own terms, passed the H. of R. the day before yesterday in the most flattering manner, unanimously, and thro' 3 readings the same day. There is no doubt of its passage thro' Senate. He retired yesterday as is the custom you know to let them choose a President protempore which will be done to-day, and goes home with the universal acknowledgement that his conduct this Session has been unexceptionable. I suppose you have heard that heretofore it has not been so—he drank to excess, and was at times incapable of business. I rejoice at his reestablishment in character and ease as certainly there is no man to whom the late war is more indebted for its support. Mr. McLane told me at Poinsett's on Sunday that he believes Randolph drinks to excess,† either does or has, I forget which he said, and that it is the cause of his present sickness & despondency.

"I did not attend at Mr. Adams' last evening nor shall I Mr. Monroe's to-night tho' the last drawing room this season—being surfeited, as I soon become of such suits. They are almost innumerable here, and, I believe, almost in-

* Daniel D. Tompkins, of New York.—W. M. M.

† "Somebody, I forget who, has since assured me it is not so."

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dispensable, certainly very useful, in assembling the inhabitants stationary and temporary of this extensive residence.

"20 February.—At dinner yesterday at Commodore Chauncey's we had the Vice President, the Sec. of the Navy, Messrs. Vandyke & Wm. King of the Senate, Messrs. Morgan and Kirkland of N. York of the H. of R., Genl. Harper, Mr. Webster, Count de Menou, Mr. de Bresson, Mr. Petry, Mr. Ellisen & Baron Maltitz—and a pleasant entertainment. The Vice P. is a very agreeable man, very communicative, and amiable in his intercourse, and now, I suppose, in fine spirits—I fancy his friends have not quite abandoned his claims to the presidency. They were very promising at one time, but very slight at this time. I understand too that some effort will perhaps be made for Mr. Thompson, but it cannot possibly succeed. He is a clever man, but rather too much of the chief Justice, precise & punctilious. They were talking yesterday of the monstrous extravagance of Congress in calling for Executive reports & printing them. Mr. Thompson instanced one of last Session by Mr. Holmes of Maine, which, I think he said, employed several clerks the whole summer and was not completed—the only object of it being to ascertain where the public vessels are built cheapest, east, middle, or south. Philadelphia and Humphries bear the bell. Gales & Seaton's reelection as public printers is to be opposed by a Mr. Way with whom it is said McKenney is in secret association. It is supposed that the friends of Adams & Calhoun will unite for Way against the friends of Crawford voting for Gales & Seaton.

"Mr. Lowrie, I hear, goes to Harrisburg next week to be present when the democratic convention meets on the 4 March to nominate for Governor. The candidates are Bryan, Shulze, Ingham, the State Treasurer, whose name

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I forget, Findlay, Darlington, Lacock and may be others. It seems to be understood that the question will be between Bryan and Shulze, and that Bryan will most likely be the man. Philadelphia is represented by delegates who are adherents of Ingham, but he has no chance. Geo. Dallas, who is one of them is now here and means to go hence to Harrisburg.

“Clay has written a letter to Peter B. Riter which is to be published by him in the western parts of New York to vindicate himself from what is tho't to be a want of spirit or rather explicitness in his answer to Adams concerning the Mississippi at Ghent. The western people think that he ought to explain himself on that subject more decisively for which purpose this letter is to appear. It has been shewn about here to several of his friends.

“Mr. Galliard was yesterday elected protempore president of the Senate by a large majority. Indeed there was no real opposition to him. His health is miserable. Congress is a bad place for Health. They sit all day in heated apartments without exercise or food and at evening dine for the most part inordinately. This routine to persons accustomed at home to early and plain meals and a sufficiency of exercise must be pernicious. I think it at least tended to the death of Lowndes: and I know that Dr. Physick is of that opinion.

“The first cards I have seen in Washington this winter were last night at Chauncey's when I won a day's pay from Mr. Morgan at whist.

“The weather continues cold & disagreeable. I met old Col. Forrest* yesterday who spoke of its breaking up

* Colonel Thomas Forrest, Representative in Congress from Pennsylvania. He had served with credit in the

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on the 23rd with as much confidence as he would of any certain event—he has entire faith in the goose bone, and said long ago that the weather wd. be very severe from the 5th of this month to the 23rd. Thus far exactly so. I find I did the President's learning or rather his library injustice: he told me this morning that he has here and at Albemarle together an excellent one of three thousand volumes. Still I take him to have never been a reading man.

“I asked Judge Duval to-day what they were doing in Maryland about a President. He said doing nothing, that it is quite too soon that Genl. Smith, Gov. Lloyd, Gov. Wright and Genl. Read had declared their preference for Crawford, Chancellor Johnson his for Adams, and Dr. Kent his for Calhoun: but that the people generally had not turned their attention to the subject at all.

“Gov. King of Maine, one of the commissioners under the Spanish treaty, lately arrived here who is a thorough going Crawfordite, reports, I hear, that nearly all the leading democrats of New England are for him, that the late movements in Maine & Massachusetts were mostly federal. The old democratic papers in Connecticut have come out against Adams & for Crawford, and Gov. King has been dealing in transitu with his nephews at New York where the American which they are concerned in, has indicated latterly predilections for Adams, & supposes that they will change their tone. Mr. Brown told me this morning that Louisiana will nominate Clay which will induce his nomination by all the South & West. Geo.

Revolution, was a Quaker, and apparently an eccentric character.—W. M. M.

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Dallas says that Crawford is hors de combat & that Calhoun's prospects brighten daily. Wm. King told me yesterday that he and his colleague Kelly from Alabama were elected in direct opposition to Crawford, that being the turning point. He told me also that he had a letter from N. Carolina stating that Crawford is losing ground there and that he would be beat notwithstanding all Macon's exertions in his behalf. Gov. Pickens of Alabama is decidedly hostile to him. You must recollect Pickens in Congress from N. Carolina when I was in. Gov. Pleasants of Virginia, Gov. Yates of N. York and Gov. Parris of Maine are supposed to be decidedly for Crawford, who is said moreover to have Mr. Jefferson at the head of his adherents. Mr. Monroe is of course neutral. But I believe there is no doubt that Mr. Calhoun has had more influence with him than any other member of his cabinet. I may add to the Crawfordite Governors our friend Edward Coles* who has lately appeared, I perceive, in the Newspapers in a letter not merely declining or renouncing, but absolutely repudiating the title of Excellency.

“ Thursday Even'g 20 Feby.—The dinner to-day at Mr. Thompson's surprised me, I confess, more than anything of that sort, of which as I have already said there are so many, in Washington. Of the President's display I think I have expressed my dislike to you several years ago: and now it seems to be menaced with degeneracy. Of Mr. Adams's half french dinners, and of Mr. Crawford's whole french dinners I can form a reconciling notion because the plateaux and the plate & so forth are the natural fruits of former outfits & European acquirements.

* Then Governor of Illinois.—W. M. M.

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But we had a very elegant entertainment to-day, with a showy plateau, some sprinkling at least of plate, some varieties of wines, and altogether a costly and handsome parade dinner for twenty or thirty persons, most of them in full dress too, from a plain, rather puritanical & poor family, who, I dare swear, till transplanted from Albany to the seat of government, never saw or dreamt of such things. Such are the influences of the capital, and all this achieved on six thousand dollars a year, with no outfit or contingencies, and in jeopardy every session moreover of reduction to five thousand may be four may be less a year. I ought to add that I do not marvel at it in any spirit of censure or detraction. They are very amiable, respectable & estimable people. But, as I am told, with no other means than the salary aforementioned, and all my wonder is like Peter Pindar's at the apple in the dumpling how the devil it comes about: and I refer it entirely to capital influence. For instance, by way of Episode—or rather to turn a moment from Mr. Thompson's Episode to the social Epic of Washington—and to take the time present as *instar omnium*, as it is, as far as some six weeks go—there was a ball at Mrs. Brown's on Monday night, besides her overture on Sunday Evening, a ball at Mr. Adams' on Tuesday, the Drawing Room Wednesday, Col. Henderson's ball at the Navy Yard to-night, Mr. Crawford's ball to-morrow night, the birth night ball on Saturday night, Mr. Wirt's ball on Monday, Mr. Adams' ball again, (& always during the session) on Tuesday, Mr. Thompson's ball on Wednesday, Mr. Chauncey's ball on Thursday, Mr. Canning's ball on Friday—and further, as I go home to-morrow, my ken does not extend. All this while Messrs. McIlvaine and his fellow clergymen are denouncing dancing as a sin & anathematising all who perpetrate

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it. Even poor General Brown,* I see, is at the head of the Managers for Saturday night—Poor fellow—not quite a driveller & a shew, but sadly changed from the stout, ablebodied, strenuous dux you left him—he is now a pale-faced cripple, the consequence of a paralytic stroke of which he thinks the seeds were sown in his lake campaigns. To return to the Secretary of the Navy, the honorable Mr. Radamanthus, as I have heard him called, for there remains a good deal of the inflexible chief justice about him personally notwithstanding the general metamorphosis of his household & habits (as I presume, for I don't know it as a fact) by transplantation to this hotbed of hospitality. We had the chief Justice of the U. S. on one seat of honor and the Mexican minister or Secretary of Legation, I did not ascertain which, on another, Judges Johnson & Story, fie on them for dining out so continually, tho' how can they help it under this raging star, Commodore Bainbridge, Captains Read & Finch of the Navy & a Lieutenant I don't know, Captain Ridgely of the Navy & his wife Miss Livingston, who was born when I was in Paris & is now not only a matron but taller than I am, which proves to me by memento that I am little and at least growing old, her sister Maria whom you remember here the winter of '14-'15, with her husband the handsome John Tillotson. By the way how inconsiderable mere good education good appearance good manners good circumstances and good conduct are in this ambitious country. I wd. rather one of my sons should be an eminent taylor or a distinguished innkeeper. There's Kelly of the Senate of the U. S. who was one of the first strange

* General Jacob Brown, of Pennsylvania, the distinguished general of the war of 1812.—W. M. M.

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sights I saw when I took my seat in 1813. He contested the place of Harris of Tennessee, and made us an excellent speech at the bar of the house, fluent, selfpossessed, able and powerful, in a sort of shag coat, with a red something by way of handkerchief or cravat on his neck, and all the rest of his equipment of similar character, with a pair of saddlebags on his arm from which he drew forth his notes & vouchers. To resume once more, we had Harry Waddell of whose name Judge Johnson made a bad use very often by placing the final *l* before the intermediate *e*, a young Mexican, educated in England, speaking English very well, and looking like the rest of us, while his principal looked exactly as if his name was Iturbide—and many more of both sexes whom I need not enumerate or denominate, at Mr. Thompson's dinner. Adieu—here ends my Diary."

Mr. Ingersoll's determination in 1815 to remain at the bar for some fifteen years was probably based upon a very definite plan of being able in his later years to have a little *otium cum dignitate* and then to choose such interest as he preferred to occupy him. And, indeed, at about the same time he strongly advised that a younger friend who was anxious to go to Europe on a mission should not do so, for "the alternatives were a few years of rather empty enjoyment at this end of life with a great many of penance, privation, and the grindstone at the other, or a few years' tugging now, with comfort, consequence, and recreation, if he wishes, afterwards."

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His industry all through his life was very great. In October, 1814, he wrote from Washington,—

“I have taken sanctuary in study, and have almost devoured already as many volumes as I could lay my hands on of a broken set of Robinson's Reports and Hall's Law Journal, which, in direct contradiction to Judge Breckenridge's advice in his Miscellanies, I am reading ‘flush through’ for want of something better.”

At about the same time he read Blackstone through carefully, and in preparing for his speech on the Loan bill he had, on the advice of Mr. Duponceau, read an anonymous book published at Amsterdam in 1780, “*La Liberté de la Navigation et du Commerce des Nations neutres pendant la Guerre, considérée selon le Droit des Gens universel, celui de l'Europe et les Traités.*” Of this he sent a complete translation²⁸ to Mr. Madison in July, 1814, as he did also of a book, “*Des Progrès de la Puissance Russe,*” which had been loaned him by M. Serrurier, and which touched in part upon the same subject. At about the same time he was reading Rulhière's “*Poland,*” “*Prince Eugene's Memoirs,*” and Porter's “*Narrative of the Campaign in Russia in 1812,*” of which latter he noted that “it transcends Munchausen.” At the same time that he was consuming all these works he was attending closely to Congressional duties. At a much later period he wrote as follows of the origin of his “*Law of Foreign Missions:*”

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"Several years ago, by way of evening employment in the country, I translated Bynkershoek's twenty-four books de Foro Legatorum, assisted by Barbeyrac's paraphrase, in turning very unclassical and difficult modern Latin into English. Finding my work when done but an imperfect view of the subject, and becoming pleased with it, I consulted Wicquefort, Bielfeld, Vattel, Grotius, Merlin, Marten, and whatever other writers upon it I could lay my hands on."

All his life through he was a great reader and rarely without books: on one occasion, on a trip to Harrisburg, he wrote that Tacitus and Horace were his principal companions, and on another occasion that he was reading Bulwer's latest novel and "hungering for the Pickwick papers." During at least some of his earlier years he was in the habit of noting in a commonplace-book historical and other facts of interest and quotations of a striking character, some of which are to be found used very aptly in his Congressional life years afterwards.

Soon also he had another line of work in being called upon to make addresses and orations. On October 18, 1823, he delivered the annual oration before the American Philosophical Society on the "Influence of America on the Mind," and in October of the next year he read before the same society, at the meeting attended by General La Fayette, a "Communication on the Improvement

of Government." The first named was reprinted in London by one R. Flower, and a copy of the reprint sent the author, and it was also very favorably reviewed by Count Lanjuinais in the *Revue Encyclopédique*, to say nothing of notices in America. And a later effort of his, an address on the Fourth of July, 1832, delivered before the Philadelphia Society for celebrating the Anniversary of our Independence without Distinction of Party, also attracted attention abroad, and was quoted by Bulwer in his novel "Rienzi."²⁹ The address on the "Influence of America on the Mind," as well as all others of the author where the subject had any proper place, was full of the great lesson which he was one of the very first to endeavor to teach his countrymen, of American pride and self-respect. There was no undue laudation, nor any touch of the spread-eagle, but a full appreciation of those national tendencies and capacities which his countrymen were generally so slow to defend and which the foreign world almost absolutely failed to see. The address before La Fayette touched in part upon the same subject, and, delivered as it was upon an inspiring occasion, was full of the feeling which its circumstances caused. In describing the delight of the Americans in receiving La Fayette, he said,—

"No spectacle is either physically or morally comparable in magnificence to that of a rejoicing nation. No govern-

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ment can rouse a people like their own awakening. No treasury can afford the means, no ordinance can produce the effects of the gratuitous ostentation of an unanimous people. America does not forget the romantic forthcoming of the most generous consistent and heroic of the knights of the old world to the rescue of the new. She has always dwelt delighted on the constancy of the nobleman who could renounce titles and wealth, for more historical and philanthropic honors ; the commander renouncing power, who never shed a drop of blood for conquest or vain glory. She has often trembled, but never blushed, for her oriental champion, when tried by the alternate caresses and rage of the most terrific mobs, and imposing monarchs. She knows that his hospitable mansion was the shrine at which her citizens in France consecrated their faith in independence.

“ Thither did all her valiant youth resort,
And from his memory inflame their breasts
To matchless valour, and adventures high.

“ Invited to revisit the scenes of his first eminence, the very idolatry of the welcome abounds with redeeming characteristics of self government. . . . The sons of sires whom he led to battle in calamitous resistance to a trifling tax are ready to lavish their last cent to make him welcome. An industrious people, who earn their daily bread by labour, suspend all occupation but rejoicing with him. His voluntary escort consists of larger bodies of well equipped troops than could be raised throughout the revolution. Hundreds of thousands of enthusiasts, of all sexes, ages and conditions, are daily and nightly thronged together in his train, without disorder, confusion, or crime.

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Learned and pious societies, the female sex, all ages, the church, the professions, the various trades, the swarms of innumerable schools, city corporations, the magistrates of four and twenty sovereign states, and of the adult empire of their Union—all business laid aside—the courts of justice shut—party, and avarice, and every other passion hushed—from every private dwelling and public edifice, pour out to swell the perfectly placid and regulated current that bears upon its bosom—Not a chieftain reeking from reckless victory, sparkling with the trophies of ruffian war, drenched with tears of blood, incensed by vulgar adulation—No : But a simple individual, without authority, power, patronage, or recent exploit, venerable with age, mellowed by misfortunes—who has nothing but his blessing to give in return, whose merits are remote recollections, whose magic is disinterestedness,—proved by a long life of temperate consistency, to be worthy of this homage in the commemoration of Independence. The man of whom no instance is known of selfishness or dangerous abuse—whose sword itself was the gift of the founder of the temple of concord—with such a man, as the representative of their persecuted but triumphant cause, a sedate and thinking people give vent to their enthusiasm. They raise him before the world as its image, and bear him through illuminated cities and widely cultivated regions, all redolent with festivity and every device of hospitality and entertainment, where, when their independence was declared, there was little else than wilderness and war.”

On October 24, 1825, he delivered the address before the Society for the Commemoration of the Landing of William Penn. On this occasion the

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meeting was held at the University, and the President of the United States was present. And on July 4, 1832, he delivered the already mentioned oration before the Philadelphia Association for celebrating the Fourth of July without Distinction of Party, in which, after enlarging on our advantages, he went at some length into the evils of our public press, and hinted at its venality, factiousness, and tendency to pander to the powerful, ending with some very strong reflections against the disunion views then prevalent in the South.

But what seems to me in some respects his most remarkable oration, and a striking instance of his power of description, is a lecture³⁰ delivered in 1839 at the Musical Fund Hall before the Athenian Institute. This was a society of young men for self-improvement, and the subject of his lecture was "Europe long ago." I have seen one person who heard this address and still has vividly fixed in his mind some portions of it. He says a great deal of it was spoken off-hand and with very slight notes. Mr. Ingersoll began by saying that his remarks would be desultory, familiar, and unpretending, and then gave a remarkably vivid picture of some sights and events which had impressed him in England and in various Continental countries. He spoke as follows of the remarkable scenes he saw in Paris, and ended—possibly to prevent any appearance of undue admiration of

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French methods—by describing his shock at an arrest he witnessed there :

“To describe France is to represent Paris, and to do that in his time is to delineate Bonaparte. France, said Chateaubriand, is a soldier, not a Napoleon of peace, as the certainly very remarkable King of the French was called by Talleyrand ; but the little corporal of the violet flower and three-colored cockade, at whose name every crowned head trembled for twenty years of royal panic, while every veteran’s heart leaped for joy, and every conscript, even though lamenting home, felt that Bonaparte would lead him to perform the prodigies and share the glories of the great nation. To see him with his little cocked hat, gray surtout, and plain-hilted sword, on a beautiful Persian or Spanish horse, full of fire and movement, but perfectly broke and gentle, like his master collected and delighting in tumult and commotion, richly though heavily caparisoned, as striking as David’s picture of him crossing the Alps ; a small, pallid, almost beardless midshipman-looking young man, with a languid Italian countenance, light restless eyes, full shoulders, finely turned limbs, very small hands and feet, handsome but not commanding appearance, a bad though bold rider, (as if he had never been taught that gentlemanly accomplishment—the elegant Charles the Tenth was probably a much more graceful horseman, and rode a review better,) environed by cohorts of gorgeous officers as resplendent as he was plain, hardly one of them thirty years old, yet all veterans and many wounded ; Beauharnois, a well-favored graceful youth, at the head of his huzzars, and Murat in the flower of fantastic manhood, king by right of dashing

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deeds and dress, before he was enthroned of modern chivalry, exquisite coxcomb in equipments, glittering with lace, feathers, gold, and military finery, profusely bearded before that mode became vulgar, perched on the most extraordinary charger that equestrian luxury could procure, his scarlet mane flowing in long glossy ringlets over broad parti-colored shoulders, his forelock parted in thick curls about odd eyes sparkling with fire, an animal altogether of most curious figure and action, as unlike the quiet simplicity of an English blood horse as Murat to a plain-dressed English gentleman ;—together with all the rest of the indescribable particulars of the grand monthly parade in front of the Tuileries and Louvre, palaces of the Bourbons, close by the ruins caused by the infernal machine ;—was a memorable scene to fascinate young fancies with vivid and overwhelming recollections. There was an exultation about Bonaparte's military spectacles, at that day, when the campaigns of Italy, of Egypt and of Marengo were casting forward the shadows of the coming events of Austerlitz, Moscow, and Waterloo—a revolutionary rush of thought which flashed over the senses beyond the power of adequate description. When he reined up his horse to call a private from the ranks of a distinguished regiment, and chat with him before the army, the metropolis of Europe and of the world, the public communion of such comrades was an ecstasy that thrilled through France. Then seated with the reins loose on the horse's neck in front of the palace, in the utmost *abandon* of position, while the troops, with their exciting music, and the still greater stimulation of their tattered colors, filed before him, his amiable face beaming with a popular smile which seemed to grant every petition, as, holding by his stirrup, women, children and old men handed their memorials,

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which he passed to aids-de-camp,—it was the culmination of the sun of martial glory. . . .

“Returning from France to England, I felt that blessed assurance of personal safety which no American can appreciate till he puts himself into countries of police. One day in Paris, at the restaurateur’s where I usually dined, I saw an arrest, whether for crime or debt I never learned. Several of us Americans were together. A party of French gentlemen were playing billiards in the same room. It was evening. Sixteen gens d’armes suddenly and silently filed in, and arrested one of the Frenchmen. Not a word was uttered; no authority was shown but the uniform of the soldiers. No warrant, no cause assigned, no question asked, but the man in dread silence was marched away, under custody of his guards. I felt with a shudder that no Habeas Corpus act, no public sympathy, not even a police report, could come to his relief, and I fancied his fate mine. The necessity of always carrying and frequently renewing a passport, the alleged danger of any political conversation, the liability of even letters to betrayal, the probably exaggerated terrors of strict surveillance, tainted the enjoyments of Paris; and I breathed in England that air of freedom which to American respiration is inconceivably refreshing, without which Europe with all its magnificence is splendid misery. Notwithstanding, too, the decided preference contracted for the French kitchen, I enjoyed the first slice of the cold roast beef of old England, on which I lunched at Canterbury, on the way from Dover to London, with the aboriginal relish of first love.”

CHAPTER V.

Era of Good Feeling—Andrew Jackson—Mr. Ingersoll defends Florida Campaign—State Assembly—In Canal Convention favors Railroads—General Convention of Manufacturers—The Tariff of 1828—Mr. Ingersoll's Views on the Tariff and Commerce—New York Convention of Friends of Domestic Industry—Support of Jackson—Nominated for United States Senate—Charges against of Improper Conduct as District Attorney—Bank of United States—Mr. Ingersoll among its Supporters—Pennsylvania Resolutions in favor of—Plan to settle Bank Question—Interviews with Cabinet Officers—Correspondence with Mr. Biddle—Details of Jackson's Plan for a Bank—Veto—Letter to *Sentinel* in Support of Jackson—Bank's Appeal to Coercion for Recharter—Mr. Ingersoll opposes the Bank—Bitter Party Feeling and Proscription.

DURING the years which followed the peace of 1815 the current of political affairs was for a long while quiescent. The recuperative measures which had been made necessary by the war once passed, there was far less than usual in the state of public affairs to cause political contests, and, moreover, the Democrats were in such complete control, and the Federalists so hopelessly disgraced, that there was hardly any ground left for dispute except the merest questions of persons. And even these ques-

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tions arose only about the closing period of Mr. Monroe's term; but then warm personal politics became the order of the day, and in a few years questions came up which again divided the people upon lines not dissimilar from those which had ruled during the end of the last and early years of this century. In these later events Andrew Jackson was a chief actor, and his remarkable personality has left an impress upon our country such as only very few have made. Undoubtedly his power and wonderful popularity were due primarily to his personal qualities, but it is clear that he had also a vast advantage from his great victory at New Orleans. Every American felt a debt of personal gratitude to him; he had restored to every man in the country his national pride and self-confidence, which had theretofore suffered so many deep humiliations, and Mr. Clay well said,³¹ upon hearing of the victory, "*Now* I can go to England without mortification." The sense of personal gratitude to a successful general is with many people very deep, and is not to be appreciated except by those who have felt it. I have heard the deepest gratitude expressed and seen the most persistent adherence—with a touch of almost religious devotion—to a leading general of the civil war, from the lips of one who was entitled to high consideration but had received but scant favors from the general in question.

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And this same feeling existed towards Andrew Jackson. Thus, Mr. Ingersoll, who had favored Crawford for President in 1824 as the regular candidate, did not vote at all in the Presidential election of 1828, because he felt that he could not vote against Adams, who had continued him as District Attorney, and could not possibly "vote against the hero of New Orleans." And earlier yet, in 1818, at the time when Jackson invaded Florida and executed the Englishmen Ambrister and Arbuthnot at St. Mark's, on the general ground of their having aided and incited the Indians to war against the United States, he had written a letter to the *Democratic Press* defending the general's course. The instance was one of those events of an intriguing and ruffian borderland, where the rules of international law cannot be strictly applied; and the American government, though it disavowed Jackson's action, in reality defended him, while the British ministry were glad to see the excitement in their own country quiet down, as they largely accepted our version of the affair, and tacitly assumed that Ambrister and Arbuthnot had expatriated themselves. Mr. Ingersoll sent a copy of his letter to Mr. Monroe, and received the following reply:

"WASHINGTON July 24, 1818.

"DEAR SIR,—I have had the pleasure to receive your letter of the 19th, with the number of the Demo: Press

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which contains your remarks on the late occurrences in Florida, which I have read with much interest & satisfaction. You have suggested and stated many ideas, on the subject, which are perfectly sound and correct, and carefully avoided any compromitment, on ground not sustainable, or which would bring you into conflict, with the course, pursued by the government.

“The fact is, that the General acted without authority, & even against his orders, in the material circumstance of taking Pensacola. The conduct however of the Spanish officers, is thought to have justified him. They stimulated the Indians to the war, furnished them with munitions of war to carry it on, embarrassed his operations by refusing a passage to his provisions, furnished an asylum, as you state, to a principal chief &c. The facts on which he rests his justification, were not known to the govt. when his orders were given, many of them indeed occurred afterwards ; tho I do not think, had they been known, or anticipated, that the Executive could have given an order to take the posts. Such an order would have been war, and that power belongs exclusively to Congress, in the first instance. To retain the posts, would be as objectionable on principle, as to take them, and might lead to the same consequences. It is therefore thought proper to restore them. But as the Spanish officers are the aggressors, and everything that has been done is imputable to them, the minister of Spain is informed, that the evidence proving their misconduct, will be embodied, as the ground of an application to his govt. for their punishment. He is further informed that it is expected, that his govt. will place a force in Florida, sufficient to fulfill the stipulation of the treaty of 1795, whereby it is bound, to restrain the Indians from committing hostilities against the U. States.

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“There were two courses of proceeding, in direct opposition to each other, & differing, each, from that which has been adopted. One was to hold the posts, & meet the consequences. This was objectionable for the reasons assigned above. The other, not only to state that no orders had been given for taking them but to bring to trial the officer who took them, for disobedience of orders. If his defense is good, as I think it is, there is no ground on which to try him, in regard to Spain. His trial, therefore, would be a triumph to that power, over a general, who had, on his own responsibility, avenged the injuries of his country, and to which triumph his own govt. would be made instrumental. Such a measure would announce to Spain, that, let her act as she might, Florida was in no danger ; we would never take it. It would confirm her in the disposition not to cede it. By avoiding both extremes, we have endeavoured, to turn the incident, to the best account we could for our country, & to the credit of the General, without committing a breach of the constitution, or incurring the imputation of it, or furnishing to Spain just cause of war. Should war follow, the executive will not be responsible for it. It will be the expedient of desperate councils, adopted as the last resource to save their colonies, in the hope of uniting Europe against us & them, on the calculation, that if the U. States, and Spain, engage in war, it will soon become general, & in favor of Spain. Should war not ensue, it seems probable, that the multiplied proofs which have been afforded, to the Spanish govt., of the impossibility of fulfilling its engagements to the U. States, in regard to Florida, will induce it, to cede the province.

“I am glad to hear, that you have made so great a progress in the translation of Bynkershoek, a work which

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will I doubt not do you credit, and add much to the professional knowledge of all to whom the original is unknown.

“with great respect & esteem I am

“dear sir sincerely yours

(Signed)

“JAMES MONROE.”

Though Mr. Ingersoll did not return to Congress—as we have seen he had set before himself to do, soon after the end of his first term of service—in the year 1832, nor indeed until 1841, yet with the beginning of the fourth decade of the century, after he had toiled almost exclusively at the bar during the period which he had appointed for himself, he did take the most active part in politics generally, and he served a term in the State Assembly in 1830-31. But there are some still earlier proceedings of importance in which he took part. He was a member of the Canal or Improvement Convention,³² which met at Harrisburg August 4, 1825, and he there introduced and advocated a resolution for trying the then unknown merits of railroads with locomotive engines, which had just been introduced into England. He was seconded in this effort by Professor Vethake, but the scheme was strenuously opposed by some leading men, and was voted down by a large majority as both impracticable and likely to be disadvantageous to the canals. Mr. Ingersoll had been much connected with Oliver Evans, and had

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heard his confident predictions of the uses of steam, and no doubt it was in this way that he had come to be so far in advance of the knowledge of his day upon the subject.

In 1827 he was a member of the "General Convention of Agriculturists and Manufacturers and others friendly to the Encouragement and Support of the Domestic Industry of the United States." This body³³ was called, in pursuance of a resolution of May 14, 1827, of "The Pennsylvania Society for the Promotion of Manufactures and the Mechanic Arts." During the preceding winter a bill known as the "Woollen Bill" had passed the House, but been defeated in the Senate by the casting vote of the Vice-President; and it appears to have been then decided to call a national convention of "the friends of domestic industries," as they styled themselves, with a view to making a more imposing demand for further protective legislation from the next Congress.

It was in pursuance of this call that the general convention met at Harrisburg, July 30, 1827. In it all the New England and Middle States, and Ohio, Kentucky, and Virginia, were represented. Mr. Ingersoll was chairman of the Committee to prepare a Memorial to Congress, and was very active throughout. The Memorial asked that the duty on raw wool costing over eight cents per pound in a foreign country should be twenty cents per

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pound, to be increased gradually to fifty cents per pound; and on woollen goods they asked for forty per cent. *ad valorem*, to be increased gradually to fifty per cent. Upon the motion of Mr. Niles, it had been resolved that "the interest of the wool-growers and manufacturers (which are in a very depressed condition) shall be made the chief and leading object of the memorial to Congress;" but, in addition to the woes of the wool men, several other infant industries succeeded in introducing their complaints. The convention sat only five days, and resolved that its expenses, which were estimated at about five hundred dollars, should be paid by an assessment of five dollars on each member, to be reimbursed by a collection in their respective States. Shortly after this the German Professor List, who had been expelled from Bavaria for his liberal sentiments and had come to this country, addressed to Mr. Ingersoll a series of letters advocating the principles of protection. These letters were thought very able, and were published in the *National Gazette*.

The memorial of this convention was presented to Congress at its next session, and that Congress passed the tariff act of 1828. This was bitterly opposed by the Southern members and by the South generally, who called it the "tariff of abominations." Schouler writes that it imposed an average duty of from forty to forty-five per cent.

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on woollen goods. It was not a measure either of the administration or of its opponents, and was pressed through a very divided and disorganized Congress on the eve of the Presidential election.

Mr. Ingersoll was thus and always remained a protectionist, and he is said to have been in favor of each of the tariff acts passed from 1816 down to 1830. Nor must we deceive ourselves by thinking that the protection he and others then advocated was very slight; we have seen that it was not, though, of course, the rates are now in general even higher, and the field covered is immeasurably wider than it then was. But though he was thus a protectionist,—and probably no man could have had a place in politics in Pennsylvania unless he believed in the system,—yet his views of commerce were in general broad and liberal. He seems to have read the writers on political economy, and thought no one could be insensible to the “persuasive doctrines of that freedom of trade” which they inculcate; but he did not think they could be safely applied in our new country in the face of so many rivals grown to great commercial power by their exclusive systems.

Some of the pet theories of the protectionists received but scant favor from him; and on one occasion, being asked in debate whether he supposed we could export iron to France until the

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wages of our labor were reduced to the standard of France, he replied that that theory was "one of the greatest humbugs of the world." He was always in favor of extending our commerce, and in 1839 wrote to a Pottsville paper proposing the export of "stone coal" to Europe. And when in Congress in 1842, he moved to amend the Civil Appropriation Bill by inserting an appropriation of five thousand dollars for a commercial agent in Europe, who should visit different countries and endeavor to secure a market for American goods by representations to merchants there, as well as by keeping his countrymen informed upon prices and other matters of importance. At the New York Protective Convention of 1831 he advocated free coarse cottons,—a measure by no means agreeable to the manufacturers,—and in his address on October 22, 1835, before the American Institute in New York upon the occasion of its Eighth Annual Fair, he presented in an admirable way the advantages of a wide interchange among nations, and showed at length the great influence resulting upon national power and development.

More than once during his career he urged treaties with foreign countries for the exchange of commodities on a basis of equality, thus coming very near to what has been called reciprocity in our time; and more especially did he favor such treaties with France. When in the State Legisla-

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ture, in 1831, he introduced resolutions urging the Federal government to carry into effect the theory of Franklin's treaty of Versailles for national equality and commercial reciprocity with that country. This was, indeed, always one of his theories; and he looked for great benefit from a free interchange of goods with France. Not only would it in his view increase trade, but it would also tend to liberate us from too great dependence upon British manufactures. Again, in 1848, soon after the French Revolution of that year, he proposed in Congress to instruct the Ways and Means to inquire into the advisability of reducing the rates of duty on French importations from thirty to fifteen per cent. He explained that his purpose was that the French would then buy our products of us, and his plan would give them the means of paying for them. The resolution was, however, laid on the table by 99 votes to 85.

The opposition in the South to the act of 1828 grew more and more strong, and in the autumn of 1831 a largely attended free-trade convention was held in Philadelphia and issued an address to the people of the United States. On October 26, 1831, shortly after the adjournment of this body, a convention of "Friends of Domestic Industry" assembled in New York. This body was also largely attended, consisting of five hundred and nine members, who represented all the New Eng-

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land and Middle States and Maryland, Virginia, Ohio, and the District of Columbia. Wool was again very prominent, but iron and steel, sugar, copper, cotton and cotton goods, chemicals, silk, hemp, glass, porcelain, hats, and cabinet furniture all had committees in their interests, and doubtless the addition of their voices made a very welcome increase of the strength of the protectionists. The convention sat for six days and issued an address to the people of the United States. Mr. Ingersoll was chairman of the committee to prepare this address; and a memorandum in his handwriting upon his copy informs us that the address down to the last paragraph on page 21 was written by Warren Dutton, of Boston, with some contributions by John P. Kennedy, of Baltimore, while the remaining part was written by himself, with contributions by Mr. Kennedy. An entry in his diary of the time records that the constitutional part of the argument of the address was "revised, I have reason to believe, by Mr. Webster and Judge Jackson," and that "that part which treats of political economy in the abstract is by Mr. Dutton, revised if not prepared by some of the ablest men of Cambridge University." In reading the address one is struck by the great similarity of many of the arguments used to those of to-day; indeed, the address might in general serve now as well as sixty years ago. But some portions are different

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from the ordinary line of argument, and trace quite closely the history of the tariff's growth.

Mr. Ingersoll was removed by President Jackson from the office of United States District Attorney in April, 1829, and George M. Dallas appointed in his place; but despite this and his disapproval of the very general removals from office and of certain other steps of the administration, he supported Jackson from the start, and took early opportunity to announce his intention to do so. He was greatly pleased with the famous toast which the President gave so unexpectedly to the "Federal Union" at the nullifiers' dinner on Jefferson's birthday, and at a dinner to Mr. Poinsett in Philadelphia in the spring of 1830 he gave as a toast, "A solid Union, firmly hooped together under one Federal head, the only rock of safety for the States." In his speech introducing this toast he argued against the claim of the nullifiers that Mr. Jefferson had maintained their views, and in speaking of the famous dinner said,—

"The Pennsylvania delegation are said to have absented themselves from the assembly met to *discover* when Jefferson's birth day was cast by the necromancy of the modern horoscope: Like the absence of certain busts expected at the funeral of Germanicus, they would not have been in keeping at the obsequies of the constitution. The sober, solid centre! It stands fast, not unmoved, but unshaken by the alternate rocking of the battlements east and south.

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But the President was there, *novus hospes*. Yes, he was there in his capacity as commander in chief. When he assumed the command at New Orleans, *the country must and shall be saved*, was his orders of the day ; which he enforced by surprising and defeating the enemy, not expecting him, as soon as they landed. At the seat of Government he proved himself every inch a President at a dinner as much as at a battle. By the master stroke of a mere toast, he *nullified the nullification* he was invited to magnify. While thus he defends the country and the constitution, he is worthy and welcome, to govern the one and administer the other. He may take what freedoms he will with the offices of the Union, whilst he preserves the Union inviolate, and the people and the patriotic, those who neither court his favors nor fear his frowns, will support him. On the next anniversary of the nation's birth day, the only political holiday kept by Mr. Jefferson, may the *President's toast* be toasted at every festival, from Little Rock to Passamaquoddy !—*The Constitution must be maintained.*"

While in the Legislature in 1830, Mr. Ingersoll was nominated in both Houses for United States Senator for the place about to be vacated by William Marks. Eleven candidates were nominated in the House and eight in the Senate, and his name headed each list ; but on the twenty-first ballot William Wilkins was elected, who had at first had almost no support. Mr. Ingersoll's highest vote was eleven on the fourth ballot. During the canvass he wrote a letter in reply to some friends in the Legislature, in which he stated that

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he was a supporter of General Jackson, but had remained entirely neutral during the campaign of 1828, because Mr. Adams had reappointed him District Attorney in 1826 under "very peculiar circumstances," and he had felt that he could not honorably vote against him. The use of this expression requires some explanation, and has reference to a long-lived but now forgotten political slander.

It appears that in 1822, when renominated by Mr. Monroe, some charges of improper conduct had been brought against him, and an effort made to prevent confirmation by the Senate. These were met before a committee of that body, before which the accusers failed to appear upon notice, and the nomination was soon confirmed. I presume that the same charges were brought up again in 1826, and that Mr. Ingersoll's reappointment despite them by a President whom he did not support explains his use of the above term. The charges remained on the carpet for many years, however, and in some publication of the United States Treasury language was used which political opponents turned into a formal charge that he was a public defaulter. It is fortunately not necessary to go into these charges at length. One of them, which partisanship has kept from entire oblivion even to the present day, grew out of what were known as the "tea cases." A tea merchant was

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found to have been engaged for several years in fraudulently removing tea so as to avoid the duties, and he had in this way at many different times removed some seventy thousand parcels. When the indictments came to be drawn the question arose how many indictments there should be, and this was a matter of personal interest to the District Attorney and other officers, as they were paid in part by fees upon each case. I presume that Mr. Ingersoll's accusers took the layman's view that a single indictment would suffice, but a lawyer will hardly be of this opinion. The view taken by Mr. Ingersoll was that there should be one indictment for each separate act of removal, and there were thus over five hundred indictments for the removal of the seventy thousand parcels by over five hundred separate deliveries. Antony Laussat and Joseph A. Clay, who were at the time students in Mr. Ingersoll's office, testified that they had been engaged in drawing the indictments and had been constantly enjoined by him "to take care and not multiply the indictments, but compress as many cases of tea as possible in each one."

The plan under which Mr. Ingersoll thus acted received later the approval of Judge Hopkinson, but there were other grounds of difference with the Treasury officials. Thus he claimed that he was entitled to fees for services rendered outside of the exact line of his duty as District Attorney,

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and he held in his hands a sum of money which he had collected and kept invested to abide the final event, informing the Treasury of the fact of his doing so and of his reasons. The total claim of the United States against him was over thirty-nine thousand dollars, a large part of which consisted of an absurd claim upon judgments which had been marked satisfied, but the money had never been received by the United States,—the truth being that they had been paid, not to Mr. Ingersoll but to the marshal, and the latter was a defaulter.

Absurd as the charges of impropriety were, they gave him a vast deal of trouble. For a long time he pressed the Treasury officials in vain for a suit against him, so that the questions involved might be disposed of; but finally the matter was tried before Judge Hopkinson in the spring of 1837, and after sixteen days' trial, involving a complete examination of the most complicated accounts covering a period of fourteen years, every charge of impropriety was completely disproved and almost every one of Mr. Ingersoll's contentions was sustained. The only point of moment ruled against him was as to some of the claims for fees for extra legal services rendered to certain subordinate officers. And even as to these the trial judge recognized that the moral claim was perfect, but did not think the subordinate officer in question had the power to bind the govern-

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ment. The disallowance of these claims was admitted to leave him owing not quite four thousand dollars (consisting of part of the sum he had kept invested to abide the event) to the United States, and there was accordingly a verdict against him for that sum, which was soon settled, and the whole matter thus in reality ended, though it long remained a basis of charge and has survived in one partisan mind even to this day. The jury which heard the case sent the following letter ³⁴ to Mr. Ingersoll:

“PHILADELPHIA, April 6, 1837.

“SIR,—During the recent judicial investigation of claims between the Treasury of the United States and yourself, involving the settlement of large sums of money, and which of necessity required an examination of your official conduct as attorney for the United States in this district for a period of fourteen years, the undersigned who were indiscriminately drawn from among your fellow citizens to decide on the validity of those claims, and having attentively weighed and examined those charges made against you, and sustained with so much zeal, talent, and persevering industry by the district attorney, and which were as promptly answered by yourself, and with conscious integrity rebutted and disproved in most cases, the jury have awarded a verdict leaving a balance in favor of the United States.

“The number of years these accounts have remained unsettled, although every exertion was made on your part to obtain a settlement, may have produced an unfavorable impression in the minds of persons unacquainted with the

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causes of delay, and perhaps already predisposed to censure those whose talents may have placed them in elevated stations.

"The undersigned, who in the late trial have seen the whole of your official conduct closely and critically examined, do cheerfully offer to you, sir, the expression of an opinion that your conduct as district attorney was zealous and strictly just, and creditable not only to yourself, but to the bar of which you are a member.

"With respect and esteem your fellow citizens,

"J. ROACH,	GEO. W. PAGE,
"JOSEPH PRICE,	LEWIS RYAN,
"CORUS COMEGYS,	JOHN BYERLY,
"PATRICK HAYES,	ISAAC FREEMAN,
"MILES N. CARPENTER,	HUGH DICKSON,
"W. J. SMITH,	A. M. HOWELL.

"TO CHARLES J. INGERSOLL, ESQ."

It has been seen that Mr. Ingersoll was in favor of the establishment of the Bank of the United States in 1816. He was also one of the supporters of Nicholas Biddle for its presidency to succeed Cheves in 1822, and he and Mr. Biddle were intimate personal friends for many years, and, indeed, despite wide differences in politics, and especially concerning the bank, their friendship was never broken. In 1841, when troubles had thickened about Mr. Biddle, Mr. Ingersoll wrote to offer his services in the suits brought against him by the Pennsylvania Bank of the United States; and, though the offer was declined, on account of Mr.

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Ingersoll's engagements in Congress, the feelings which prompted it were evidently appreciated.

Mr. Ingersoll remained a supporter of the bank for a number of years during Jackson's term of office, and became its opponent only when its conduct had in his opinion rendered it impossible to do otherwise. The hints of opposition to the recharter of the bank contained in Jackson's first and succeeding messages found no response in him; on the contrary, he criticised them unfavorably, as did at first the vast majority of the public men of the country. In December, 1829, he wrote John Forsyth expressing this view, and Mr. Forsyth agreed with him, and expressed his regret that "the general had not omitted the strictures on the bank." Nor did he confine himself to private letters, but early in 1831, with the knowledge and co-operation of Nicholas Biddle, he introduced resolutions into the State Legislature in favor of the bank.

These were the well-known resolutions which were charged to have been passed through bribery. Mr. Biddle was greatly interested in them pending their passage, and quoted to Mr. Ingersoll an extract concerning the immense effect such resolutions would have from "a letter from Albany of a friend of mine who went there for the purpose of reconnoitring and counteracting the design of Mr. Van Buren to move the legislature

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against the Bank." It was evidently at one time in doubt whether the resolutions could be carried; and presumably this was the reason why Mr. Ingersoll introduced them reading in favor of "a" bank, having already arranged that certain members were to move to substitute "the" for "a." Presumably it was for this same reason that the resolution for the bank's recharter was coupled with others in favor of protection and of the Union and against the claims of the nullifiers. They were finally passed by decisive majorities, after having at one stage met with a serious repulse, and after having had a clause added in favor of distribution of the surplus revenue among the States, which Mr. Ingersoll voted against.

Soon the New Hampshire *Patriot* charged—and the Washington *Globe* reprinted the charge—that the passage of the resolution for the bank had been obtained by a system of corrupt bribery. To this Mr. Ingersoll and other members of the Legislature from Philadelphia and its vicinity hastened to publish an indignant denial. This was dated May 18, 1831, and first appeared in the *American Sentinel* of Philadelphia, but was widely copied. It referred to the fact of the charge being published in "a leading Democratic paper, and republished in the paper which is understood by the people to be the official organ of the national administration," and pronounced it, "*no matter by whom made, by whom*

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repeated, or by whom countenanced, to be an unfounded and atrocious libel." But this by no means ended the matter, and charges and counter-charges were for some time rife among the different elements of the Democrats. It is curious to observe how even those members of the party who were in favor of the bank strove hard to avoid an open clash with the immensely popular President. Thus, the *Sentinel* on June 11 asserted that the President cordially supported each of the resolutions of the Legislature, and warned those, "whoever they are, that would crush the present administration, and the Democratic party, in at least temporary overthrow, for the good of the succession, that the State of Pennsylvania is wedded to the Bank of the United States, to the Tariff, to the Judiciary, in a word, the AS YOU ARE system." They thus strove to unite with them all the strength of the feeling in the State for the tariff and the wide-spread sentiment against the nullifiers' theories, and at the same time rang the changes upon the charge that the anti-bank movement was but a plan of New York to destroy the bank in Philadelphia and establish a new institution in New York. The Legislature of New York had replied to the Pennsylvania resolutions by a series of resolutions opposed to the bank.

This is not the place for a history of the memorable struggle with the bank, but still many of the

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details of that history bear so closely upon Mr. Ingersoll's life that they are essential here. Though many, if not most, of even our federal historians admit that on the whole the continuance of the bank was not desirable, yet they all maintain that Jackson, through some spleen, "made war" upon it. But, as Benton stoutly maintained, the bank had no vested right to be rechartered, and no attack was made upon it when the expediency of recharter was questioned. Nor is there any reason to suppose that Jackson was actuated by mere spleen or temper. It is far more likely that his mistrust was caused by a natural suspicion of it from its vastness and its stupendous power. His instinct taught him in advance what the facts later showed, that the enormous power it wielded could not be safely trusted to its secret conclave; and when the facts were once developed, his countrymen supported him, even when he went further and did reply to its assaults by attacks, as in the removal of the deposits. In the history of the contest, the tariff, the rupture with Calhoun, and the discontent and nullifying movement of South Carolina were all closely bound up, and the Democratic supporters of the bank did their utmost to couple Calhoun, nullification, and the opposition to the tariff with the opposition to recharter. Such was at least their effort in Pennsylvania.

It is probably true that Jackson at first desired

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to postpone the contest until after his re-election ; and his message of 1831 omitted the strictures which the two earlier ones had contained. It was then a very moot question with the bank whether it should apply for a charter at once or wait. It had an envoy (General Cadwalader) at Washington³⁵ upon this point in the end of 1831 ; but it was finally decided—largely through the influence of Clay—to apply at once. They thought to embarrass Jackson by forcing on him the alternative to sign the bill for recharter or else to veto it shortly before the election ; but never did a bolder game more completely miscarry.

During February and part of March, 1832, Mr. Ingersoll was in Washington, whither he had gone to attend to some cases in the United States Supreme Court, and was a very close watcher of the events then going on. He saw much of nearly all the actors in the scenes of the day, dining out and visiting constantly ; and he wrote many letters to Mr. Biddle,* from which material

* Among the letters which have been in my hands are a few from Mr. Biddle to Mr. Ingersoll. In one of these, under date of February 21, 1831, he writes, "In regard to Mr. Clay, he once owed the Bank in 1821 or 1822 about 22 thousand dollars. He paid it all principal and interest. When our western troubles began he was appointed the counsel of the bank for Kentucky & Ohio receiving a salary for one or perhaps two years of \$5000

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of some historical interest can be gleaned. Upon his arrival he wrote at once that the administration was much provoked at the introduction of the question, and he thought its power would be thrown for delay. He had some other matter on hand which brought him close to Mr. Livingston, and he soon took advantage of this to find out how the administration felt upon the subject of the bank. On February 9 he had a long interview with him, and suggested what was evidently a plan of Mr. Biddle's,—that the bank question should be taken out of the hands of Mr. McDuffie and be passed as a distinct administration measure, after certain alterations had been made in the charter to meet the views of the President.

The plan was originally that this should be done by Mr. Dallas introducing such a bill in the Senate; later Mr. Wilkins was selected as the leader of the move. Mr. Livingston, who favored recharter, took the matter up most earnestly, spoke with the President, and privately sounded the cabinet. On February 21, Mr. Ingersoll was able to write that Mr. Livingston informed him that McLane, Cass, and Woodbury, as well as Livingston himself, were in favor of the movement. Of Barry nothing

& afterwards of \$3000 a year. When he went to the Dept of State he settled his account and since then has been a stranger to the Bank."

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was said, while Taney alone of the cabinet was reported as against them; but they had hopes of winning him over, as they had also of Lewis and Kendall, two important members of what has been called the "kitchen cabinet." Two days later, Mr. Livingston asked whether Mr. Biddle would agree to "the President's views of the terms for a new charter." Mr. Ingersoll replied that he had no doubt of it, but was not authorized to speak positively; and he then made a written memorandum in Mr. Livingston's presence of what Mr. Livingston said these terms* were. Mr. Biddle was

* Mr. Ingersoll's letter details these terms as follows :

"1. Government to have no interest in the bank.

"2. President of U.S. empowered to appoint a Director at each bank so that government may be represented at each.

"3. States authorized to tax the property both real & personal of the bank within the said States in like manner as the States may tax other property within them.

"4. The bank to hold no Real Estate but such as it may be constrained to take in payment or security of its debts, and to be compellable by law to sell that within stated time.

"The foregoing I understand from Mr. L. are the President's terms.

"5. A certain proportion of the stock or capital to be thrown open to new subscriptions, which may be done by pro rata reduction of the present capital, or by addition to it.

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willing to agree to most of these alterations, but he evidently objected to some.

With McLane, also, Mr. Ingersoll had interviews in the same interest, and found him hurt and provoked at the early precipitation of the question of recharter, in violation of his opinion and, as he thought, of an understanding with General Cadwalader. Mr. McLane denied positively, as had Mr. Livingston, that Jackson had ever said he would "put down the bank," but he also emphasized the objection of the President to being "forced."

What appears to have defeated this plan, supposing it could otherwise have succeeded, was the pending resolution of Clayton for a committee of inquiry. This most of the supporters of the bank were afraid openly to oppose, and finally McDuffie unexpectedly agreed to its passage. The day preceding this, Mr. Livingston had assured Mr. Ingersoll that the President would without hesitation sign a bill, if one was sent to

"This—5—is not the President's requirement : but Mr. L. seems to be very tenacious of it, always urging, that it will facilitate very much the recharter.

"6. The Directors to nominate annually two or three persons of whom the President to appoint any one as President of the bank.

"This—6—neither the President nor Mr. L. like. It is the suggestion of others—he said . . ."

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him in accordance with his opinions; but had added that the adoption of the resolution would stop the plan, for, if Congress should order an inquiry, the President must await the issue of it. The President, he said, had had nothing to do with the introduction of the resolution. The first belief of the bank's supporters was that the inquiry was intended to delay the matter indefinitely, and they blamed McDuffie in round terms for his action in consenting to the passage of the resolution. Mr. Ingersoll was told later by the Speaker that McDuffie had said he did it so that action on the tariff should precede that on the bank. Mr. Livingston still maintaining that the President would sign a proper bank bill (though he said he had "never heard him say so, but had good reason to rely on it"), the next idea of Mr. Ingersoll was for the bank immediately to send a memorial to Congress asking for investigation, but strongly deprecating delay; and that through Mr. Wilkins or some one else bills should be introduced as administration measures (1) to compromise the tariff question (which Mr. Livingston said would "win Jackson's heart"), and (2) to recharter the bank with the proposed modifications. Mr. Biddle did not approve of requesting investigation, and the whole plan miscarried. Unfortunately the correspondence ends here, and Mr. Ingersoll returned home soon after the middle of March. During his

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stay he had endeavored to advance the plans on foot by a series of letters to the *American Sentinel* under the name of "Tulpehocken" and "Tulpehocken of Yellow Breeches," and to the *Enquirer* of Philadelphia under the name of "Incognito." It is worthy of note that on March 10, Major Lewis had said in Mr. Ingersoll's presence that Jackson might take up the tariff question and make it his own, but as to the bank, he said, "I do not know his sentiments."

Later, Mr. Biddle was himself in Washington taking an active personal part in the question of recharter.³⁶ Establishing himself at a hotel, hosts of legislators there paid court to him, and, under the seductive inspiration of their flattery and pushed on by the ardent Clay, the fatal determination was arrived at to force the President's hand. Accordingly, they pushed their bill through Congress, and the adjournment of the session was then so arranged that the President must veto the bill or let it become a law. The result is well known. The bill, which was so passed and vetoed, contained some of the provisions which Mr. Livingston had urged, but in the main omitted them. The provisions in regard to State taxation and against holding real estate were in the bill in modified forms, but the others were all omitted. It is clear that as the fight waxed hot in Washington, and under the inspiration of Clay's strong will, Mr.

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Biddle and all the bank's supporters became overbold and convinced that they had the game in their hands.

Nor did the veto disabuse them, for they looked confidently for the overthrow of Jackson in the elections. Mr. Biddle wrote³⁷ that he was delighted with the veto message, and that it exhibited "all the fury of a chained panther, biting the bars of his cage." The fundamental error of the bank was in the constant assumption that its stockholders had a vested right to be rechartered. This cannot be admitted for a moment, but they always assumed it, and from this postulate easily convinced themselves that the President was "making war" upon them when he questioned and later vetoed recharter. From the time of the veto—whatever was the case before—even the stoutest partisan of the bank must admit that it entered actively into politics and "made war" upon the President, and justified the charge that it was arrogating to itself the position of a "new estate in the realm."

This was the feature of the contest which mainly led to Mr. Ingersoll's becoming an opponent of the bank, but his action was also influenced by other causes. His feelings of admiration and gratitude to Jackson had been augmented by personal acquaintance in Washington, and he had become convinced that he was pre-eminently the man to

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look to to save the tariff and to steer the country in safety through the perils that were threatening from the Southern discontents. Hence, though he doubtless regretted the veto of the Bank bill, he was a supporter of the Tariff Act, which was signed by the President within a few days of the veto, and he continued to support the administration. Nor, though the bank influence was then supreme in Philadelphia, and the whole atmosphere was reeking with hatred of the President and of the veto, did he hesitate publicly to announce his intention, but as early as July 18 published the following letter in the *American Sentinel*:

“The long and intimate connexion I have had with the cause of domestic industry, and my settled conviction that its protection is essential to the independence and prosperity of this country, induce me at the present moment, when that cause has just passed through a great trial, endangering the union itself, to submit to my fellow citizens, especially of my native city and state, the reasons which convince me that to support the present administration is the surest means of maintaining what is called the American system, and the union of these United States, on which the only practicable American System altogether depends.

“Residence at the seat of government during a considerable part of the late session of Congress, afforded me continual opportunities of being satisfied, by personal intercourse with the President and otherwise, that General Jackson has well considered the subject, is well informed in its principles and details, and inflexibly determined to

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sustain by his official and personal influence every branch of essential manufactures.

“The government of the United States has become much more complicated and difficult than formerly, owing chiefly to the question of legislative protection, to encourage the industry of a country so extensive and diversified in its regions, so peculiar and independent in its political structure, as this. The acknowledged imperfections of the former Tariff acts, and the complaints of the south, imposed upon the federal government the unavoidable duty of a judicious compromise. I have reason to know that Mr. Madison, we have all seen that Mr. Adams and Mr. Clay, together with others of our most experienced and responsible statesmen, and a great majority of the people, deemed such a measure indispensable to preserve either manufactures or the union. I can bear witness, and I deem it a duty to do so, from actual and unbiassed observation, while at the seat of government, that for the accomplishment of this vital compromise we are all deeply indebted to the personal exertions, the official courage and the devoted patriotism of General Jackson.

“Now that the crisis is probably over, there may still be some alarm in the East, and more disaffection in the South. But as far as it is possible to anticipate results, all the great national interests have reason not only to be satisfied, but gratified. The recent Act of Congress places them all on a more solid and permanent foundation than they ever enjoyed before. The revenue has been taken mostly from articles not requiring protection. Iron, Cotton and Sugar, with the accessional branches of industry, are well secured. Woollen, the only interest respecting which there is any doubt, is fortified by the enacted principle of what is conceived to be sufficient protection, which can

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and no doubt will be hereafter carried farther, if experience should prove it to be necessary. The modifications incorporated with the new law, especially that abridging credits, are not only equivalents but improvements, which render the system more effectual by simplifying it ; and there is every reason to trust that American industry will hereafter more certainly than heretofore enjoy the home market, without distress from foreign incursions, which is all it has ever required or can expect from Government.

“At the same time nullification is, if not disarmed, at least put in the wrong ; and the southern adherents of the Union, who are among its most valuable members, strengthened with the means of resisting its assailants, without an appeal to force.

“I have never been one of those believing that General Jackson can do no wrong. There are acts, and indeed avowed principles, of his administration, of which I do not approve ; not doubting that he is as indulgent to the sincere dissent of others, as I think they should be to what may be deemed his errors. But in common with the rest of the American people I learned from the heart to identify him with the salvation and glory of our country, when by his admirable courage, discretion and humanity he saved this Union from dissolution in bloodshed and conquest at the close of the last war with Great Britain. The warm affection which then united the people to him is a generous sentiment ; and the personal power with which it raised him to the Chief Magistracy is an honest and available popularity, which may be turned to the greatest account. It qualifies him more than any other of our citizens, to preserve the Union on which the character, happiness and prospects of this country depend.—Every one must choose between the great parties into which we

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are divided, who will not throw his mite away in useless, selfish neutrality. While the maxim of every republican should be measures not men, yet in the choice of men, without reckoning the debt of irredeemable gratitude which we owe to General Jackson, even upon a dispassionate calculation of the public recommendations of the eminent persons now candidates for the Chief Magistracy, I hold it to be best to abide by the honest voice of the people in his favour ; and to side with that man from whom consolidation and nullification have most to fear, the national union and industry most to hope. This appears to me to be especially the true doctrine for my native city and state, the most constant and the most interested support of these great interests. And the conjuncture when every exertion is making to supplant the present administration, as its opponents claim with assurances of success, they must acknowledge to be the fittest moment for a freeman like themselves, who as an individual neither hopes or fears from General Jackson's administration, without presuming to disparage their sentiments, to make known his own.

“C. J. INGERSOLL.

“PHILADELPHIA, 18th July 1832.”

A few days after the date of this letter (July 23) a “veto meeting” was held in Philadelphia, at which Henry Horn presided, and Mr. Ingersoll and others made addresses. Resolutions were passed approving the veto, but the opposition papers maintained that more was said of Jackson than of the veto. They admitted, however, that there were nearly as many present as at the anti-veto meeting. During the canvass Mr. Ingersoll

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supported the Democratic nominees earnestly, asserting his own view upon the bank question, but holding the opinion, as has been seen, that most of the great questions of the day were safest in Jackson's hands. I judge from his expressions that he had no great hope of Jackson's success, and such would naturally be his conclusion in the atmosphere of Philadelphia, where the bank's influence was so enormous.

From the time of Jackson's re-election, compromise between the bank and him was impossible, and the war became one of extermination. The bank had long held the *rôle* of an opponent of him personally; but with his re-election the case became far worse, for the fact was emphasized that it was exerting a bitter hostility to the President of the country. Even were it possible that it could otherwise have saved itself, this was fatal, for the American people came to see that a body of money magnates was waging war against the government which the people had chosen. One step led to another, and finally, in September of 1833, the order for the gradual removal of the public deposits from the bank was issued; and to this the bank replied in December by a most insolent report upon the well-known paper Jackson had read to his cabinet in September, which it recited as "a paper signed 'Andrew Jackson,' purporting to have been read to a cabinet on the 18th."

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All through this ill-judged report the President is referred to as "Andrew Jackson," between marks of quotation, while the "paper," as Schouler writes, is "held out as though between a pair of tongs" to suggest its spuriousness. It seems that this report was the step which finally decided Mr. Ingersoll. He had evidently long disapproved of the conduct and assumptions of the bank, and had become convinced that it possessed far too great power, and was assuming ground impossible to maintain; but this studied insult to the President, and "appeal to coercion for recharter," as he once called it, was, I believe, the act which in his view capped the climax.

Precisely when his mind was finally made up I do not know; but the first public part he took against the bank was in March, 1834, at the meeting which was held in Philadelphia to approve the removal of the deposits. Before doing so he called on Mr. Biddle and announced³⁸ at length his intentions and reasons. He was on the committee to draft resolutions for this meeting, and the first fourteen resolutions appear to have been drawn by him; the others³⁹ were drawn by Thomas Earle; but Mr. Ingersoll declined to present them at the meeting, and they were accordingly presented by the chairman, Mr. Dallas. Mr. Earle's resolutions approved in a few words the removal of the deposits, expressed opposition to

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their restoration and to the recharter of the bank, and approved of national conventions. Mr. Ingersoll's were more elaborate, and strongly emphasized the fact that the struggle going on was one between the bank and the American government. The meeting was an enormous one, and the extremely bitter state of party feeling found expression in the speeches.

This extreme bitterness of party feeling continued for a number of years, and all the supporters of Jackson received their full meed of partisan dislike. Mr. Ingersoll was quick-tempered and outspoken, and came in for more than a full share of this. He and his family were hissed on at least one occasion, while sitting at their windows, by the crowd marching away from a pro-bank meeting; and it is said, and is by no means unlikely, that a person he nominated to the Philosophical Society was black-balled because of his support. The people of power and influence were nearly all supporters of the bank, and were in a high degree proscriptive. It was by no means mere exaggeration when the Democrats spoke of the Bank Reign of Terror, and it is quite true that their opposition to the bank was "at every peril of personal, social, professional, and political indignity and privation."⁴⁰

CHAPTER VI.

Banking System—"Committee Powers"—"River Rights"
—Bush-Hill Address—Convention of 1837—Mr. Ingersoll's Course in—Education and the Judiciary—Minority Report from Committee on Currency and Corporations—Nominated for Congress—Heated Campaign—The Bank in Politics—Case of Mr. Ingersoll's Son John—The Sub-Treasury—Mr. Ingersoll's Early Plan for—Contested Election—Third Campaign, and Election to Twenty-Seventh Congress.

MR. INGERSOLL had always thought the power exercised by banks of suspending specie payments a great wrong and indefensible in law; and he was strongly opposed to any paper money not immediately and at all times redeemable in coin. To confer on any body of men the power to issue notes otherwise was, he thought, to confer special privileges quite foreign to our system of government. He was, indeed, generally suspicious of banks of issue, and in favor of closely limiting their powers. He was, moreover, fully convinced of the evils of the system under which State banks sprang up in such numbers and issued their notes broadcast, and thought the whole system of State banks bad, if not unconstitutional, and that the

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control of the currency as well as of the coinage should have been conferred on Congress.

It has been shown that he was originally a supporter of the United States Bank, but his opinions were deeply influenced by the developments of the struggle between the bank and Jackson. Doubtless he had at first merely accepted an existing state of affairs and had not considered its correctness or desirability. The bank was an institution at his own door, which to all outward appearance was in good condition and doing a good work, and he accepted it as a fact without special inquiry. This is what all men do, in the vast majority of instances, and it is only when some striking proof is brought out in such cases that the opinions of a community are changed. But when the flagrant proof is forced upon the public by a powerful chain of dazzling evidence all pointing the same way, a whole people will at times make an almost instant volte-face. We have seen this in more recent times, and it is largely what happened in the case of the United States Bank.

It is certainly true that Jackson's party in Pennsylvania almost to a man regretted at first his strictures upon the bank, and the same thing was true as to possibly a smaller proportion of his party throughout the country. To maintain, however, that their later change of view was the result of interested motives is not only to be very unjust,

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but to mistake greatly the influences which guide men and make their opinions. Still, it is one of the burdens of public life that such changes are attributed to selfish interest, though we all know that history can be ransacked and probably not a single character be found who has not radically changed many of his views in the course of his career and under the influence of the ever-changing circumstances of life and of varying knowledge. But none the less the public man must be very wary of the crime of inconsistency, and must not let his actions indicate that any hidden self-interest or hope of preferment led to his change of opinion. Mr. Ingersoll, though he had uniformly supported Jackson, even at a time when interested motives could hardly be suspected in a Philadelphian, was unwilling to accept office at his hands, and declined an appointment which was tendered him by the President through Mr. Forsyth. He preferred that his actions should not be open to suspicion.

I suppose that from not long after 1830 he was anxious to obtain a seat in Congress in accordance with the plan he had formed many years before; and from about that time his interest and his share in the great political events of the day were very great. Thus, when in May, 1834, the committee of the House came to Philadelphia to investigate the bank and was met by a resolution of the direc-

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tors that their own committee should always be present, and that only written questions should be answered, the chairman consulted Mr. Ingersoll ⁴¹ as to their powers and as to the advisability of issuing subpoenas to enforce the presence of witnesses.

Mr. Ingersoll was very clear that they had full power to compel testimony, but advised, as a matter of policy, that they should report to the House for its action whenever their investigations were brought to a stand. This became the case before long, and the committee reported the facts to the House, but there the matter rested. Later a Senate committee in the bank's favor was appointed, with authority to sit after the adjournment of the session. Mr. Ingersoll was of opinion that neither House of Congress had the power to authorize its committee to sit after its adjournment, and wrote "A View of the Committee Powers of Congress," in which this opinion was argued. It was one which he continued always to hold and repeatedly urged in Congress. Mr. Benton ⁴² held the same opinion.

Another public question in which he took much interest about this time was the contest between the city of Philadelphia and the Schuylkill Navigation Company. The latter claimed to own very broad powers in the waters of the river by grant from the Legislature. In "A View of River

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Rights" Mr. Ingersoll examined these claims and endeavored to refute them.

In June, 1834, he bought from the estate of Zachariah Poulson a farm of about twenty-three acres situated in what was then the unincorporated Northern Liberties. This country-seat, which he called "Foresthill," was about four miles from the State House, and became for many years his usual residence in the summer months. He probably at once took some part in the local politics of that portion of the city, and it was this district—the Third Congressional District of Pennsylvania—which he later represented in Congress. On July 4, 1835, he delivered an address⁴³ at Bush Hill to the Democrats of the district, in which he reviewed the political events and some of the personages of the day, making a close analysis of their tendencies and appealing altogether to the intellectual faculties of his hearers. Mr. Ingersoll was able to make a "stump" speech, but he usually appealed to his audience from a higher plane. On this occasion he said,—

"The extraordinary veteran about to retire from the Chief Magistracy, has so administered it as to make it very difficult for any but a strict republican to succeed him in its administration. . . . With deep insight into human nature, and a thorough knowledge of the character of the American people in particular, a moral firmness surpassing the warrior courage which first signalized him, forecast,

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profound address and wariness, far different from the hasty temper ascribed to him, and as France found to her cost, an iron fixedness of purpose that nothing can break or bend, indefatigably active, stirring, and enterprising, he himself suggested the leading measures of his towering administration, from many of which his cabinet shrunk, and superintended himself their minutest details in publication and execution. Free and communicative as the air, yet secret as the grave, prompt to conceive, having by sustained success become confident in his own judgment, he refers it always to the standards of religious obligation and the point of honour. His antagonists abuse him because his governance has been what they admire, the vigorous administration of a single executive. Assuming no power but that conferred by the constitution, he has shown that the power it does confer, in the hands of a popular president, renders our government what Mr. Jefferson considered it, the strongest in the world. The star of Jackson has been so long so lucky, that the Romans would have surnamed him Felix or Fortunatus. The Romanism of his character was remarked by Mr. Jefferson. Patriotism is an instinct with him ; republicanism also a natural impulse ; and Americanism likewise—that noble independence of European supremacy which flourishes most beyond the Alleghany Mountains ; the spirit of the Declaration of Independence, that all men are equal ; a generous, jealous disdain of other men's superiority, like chastity to women, a conservative manly principle indispensable to political and social dignity. For a thousand factitious and time-serving calculations, he substitutes the transcendent power of ingrained straightforwardness, and for all the learning and all the talents, that mother wit without which they are all but sounding brass and tinkling cymbals.

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“In the radical work of his reforming presidency, which has taken away most of the modifications engrafted on the system of Jefferson, and restored the constitution to its primitive standard, Mr. Van Buren has been Gen. Jackson’s chief adviser and cordial aid ; and the democratic party have selected him to succeed to the presidency as they elected him to the vice-presidency. . . .

“No part of the United States has a deeper stake in their preservation by Mr. Van Buren’s election to the presidency, than those portions which *may* set up a Southern candidate. Let Old England and New England say what they may of the Plantation States, they are the headquarters of liberty, as the Western States are of independence, and the Eastern of equality. In Pennsylvania we are none of us friends of slavery. But such men as Montesquieu and Burke have borne their testimony to the fact that the love of freedom is most stubborn and jealous in the Southern masters of slaves. Such was the case in the ancient commonwealths, as it is in Virginia and the Carolinas. To which doctrine from Burke let me add another, that praise or blame does not belong to anything human on a simple view of the object, as it stands stripped of every relation, in all the nakedness and solitude of metaphysical abstraction. Slavery in the abstract is deplorable and indefensible, and perhaps the brightest page of Pennsylvania’s annals is that which contains the *first* act for its *gradual* abolition. But slavery in the United States is no more an abstraction than liberty. The Union found it in the Union, part and lot of the Union, and was constrained to sanction it as a strand in the bands of Union, which to take away is to sunder the whole. . . .

“Mr. Webster’s connexion is with that once pronounced party, and always influential portion of the United States,

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which stands aloof from the democratic standards and approximates to those of England ; whigs but not democrats. A great lawyer, a distinguished senator, endowed with amazing powers of reasoning, the senatorial conflict, in which this distinguished gentleman overthrew nullification, raised him to high rank by a noble victory. But though always a leader in debate, when has he been such in action ? He has shewn much more talent for convincing than controlling men. Neither the government, nor any party has been influenced by his leading, while his shining career has been a series of discomfitures. He opposed the war, whatever may now be said, as unreservedly as any member of the party opposed to it. He opposed *a* bank when proposed by a democratic administration, and he insisted on *the* bank which forfeited public good will by its infatuation. He opposed the manufacturing interest when it wanted support, and supported it when its friends thought proper to reduce it for the sake of the Union. His whole course as a statesman proves him to be much more of an orator ; . . .

“Mr. Webster’s professional influence, much more signal than his political, has succeeded in corrupting American jurisprudence with some of the most extravagant and intolerable dogmas of the English code—nay what would now be rejected by it. What may be deemed his first great effort in the Supreme Court, was in the case of the Dartmouth College, when he induced that tribunal to carry the corporation privilege beyond all bounds, owing as has been thought to the absence of Pinkney, who was opposed to him ; and his latest labor there in the case of a Boston Insurance Company, prevailed over a majority of the bench to adopt one of the most unwarrantable aberrations of the English maritime policy from the law of

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nations ; in the first mentioned case against the sound judgment of one dissentient democrat on the bench, and the law as taught from Locke to Hallam ; in the last against the judgment of all the democrats on the bench, and the law of all nations except modern Great Britain. . . .

“All that is good in government is republican. It is all ascribable, under Providence, to the sovereignty of the people. Whatever since the English revolution has been achieved of great or good in England or France, is owing to the working of the democratic principle. Great Britain owes more to the impulses of her short-lived commonwealth, than to all her kings and ministers, and all the meliorations of which France may certainly boast, are ascribable to conventions and national assemblies in the first stages of her revolution. Even if the tendency of the democratic principle be downward, I for one prefer the despotism of democracy to that of monarchy or aristocracy.

“It is this democratic principle which is to be promoted in the person of Martin Van Buren ; . . .

“Let the educated and emulous youth of this knowing and aspiring, free and equal nation ponder this spirit, and strive for the patent of popular nobility, which, if conferred on Mr. Van Buren, the boy of Kinderhook, will put him far above all merely aristocratic privilege. Let them learn to think well of the people, and to do something for those who reward so magnificently. A demagogue is despicable ; a courtier of the people, is worse than the courtier of a king ; an unprincipled counterfeiter of democracy, no democrat at all. But sincere confidence in the virtue of the people, honest and generous study of their good, inflexible attachment to liberty and equality, and repugnance

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to exclusive privileges, make a patriot in any country, and a president in this. The most absolute spirit of popularity, which shone in Hampden, the most accomplished gentleman as well as the first statesman of England, in Lafayette, a like conspicuous instance of the popular nobility in France, in Washington, Jefferson and Madison,—that loyalty of republicanism, which is as superior to monarchical patriotism, as christianity is to paganism—eclipses by its light and immortality the little stars of rank, fashion, wealth and social exclusiveness. Far be it from this day of the declaration of independence and equality, to disparage or undervalue private respectability and merely social distinction. In this country, wealth may be safe in its enjoyments, and fashion is perfectly free in its fantasies. But again, and finally, I say to the educated and emulous youth of these United States—let them contemplate Mr. Madison in his retirement ; after filling all the high places which the people have to give as the reward of that real popularity, which is followed by, instead of following after them ; a man who, without ever appealing to a passion, rose to eminence and renown, by the slow but certain growth of calm reason and sincere devotion to the public good—let them think of this surviving patriarch of democracy, enthroned in his magnificent seclusion—and learn from it to prefer and promote the democratic principle. It is this principle which is our country. It is the band of American Union—the spring of American prosperity—the scripture of American distinction. It is our three estates in one. It is this which made Mr. Van Buren President of the Senate that rejected him ; and if it makes him President of the United States, will bind him to the preservation and furtherance of the democratic principle, by all the ways of pleasantness, in all the paths of peace.”

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At this time in Pennsylvania the question of a convention to reform the constitution had become an issue of great moment. There had been a desperate contest upon the same question in 1805, in the days of Duane, but the reformers were so beaten that they carefully avoided any suggestion of the matter for years. Gradually, however, public opinion ripened, and the Legislature in 1835 passed an act submitting the question to vote. Shortly after his Bush-Hill address Mr. Ingersoll was called upon for his views, and wrote in reply a public letter announcing that he had long had a strong feeling against change, but had finally come to the conclusion that it was indispensable in many parts of the constitution. He took part in the proceedings of the meeting at Doylestown in September in favor of the convention, and was chairman of the committee to draft their address. One of the points which the reformers advocated was an extension of the right of suffrage; and it is instructive to observe how the suffrage was extended by the amendments adopted in 1838, although the language of the new provision was not so different from that of the old one.

The resolutions⁴⁴ of the Doylestown Convention and the public "pledges" of some of the candidates were in favor of a "greater extension and equality in the right of suffrage," and recited

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that the existing law was arbitrary and unequal, because it caused the privilege "to depend on the preconceived notions of the inspector and to vary with the various election districts." The amendments of 1838 for the first time strictly limited the suffrage to *white* freemen, and it *seems* that in some counties free blacks had been allowed to vote. In December, 1837, in the Quarter Sessions of Bucks County, in a contest of the election of Abraham Fretz as commissioner, Judge Fox reviewed the history and legislation upon the subject at some length, and held that it was very clear that free blacks could not be allowed to vote. He said,⁴⁵—

"From the best information I have been able to obtain, no negro has ever voted in the city or county of Philadelphia, where there were probably more negroes than in all the rest of the State. In the majority of the counties they have not been suffered to vote, and the practice to permit them to do so anywhere, grew up long after the adoption of the constitution."

The popular vote was decidedly in favor of a convention, and the next Legislature passed a law for the election of delegates. At this election Mr. Ingersoll was one of the members chosen. The convention assembled at Harrisburg in May, 1837, and comprised many of the ablest men of the State, but unfortunately its meeting was at the outbreak of the panic of that year. Active as

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Mr. Ingersoll was throughout this body's sitting, it is not my intention to examine the proceedings at much length. Whether he and his friends were right in their assertion that from the very start the convention was managed in a highly partisan way, certain it is that it was at least managed in a way which in the main excluded them from much influence, and what they did succeed in accomplishing was won only after hard and continued fighting. They maintained that the committees were all organized against them, and it was with great difficulty that Mr. Ingersoll secured a special committee on currency and corporations, of which he was chairman. Even this, too, was so constituted by Mr. Sergeant that its chairman found himself in a minority,—a proceeding on the part of the president of the convention which Mr. Ingersoll wrote to Mr. Gilpin was contrary to all parliamentary usage and common decency. However this may be, the result at least was that the committee came near to making no report at all, but merely strangling the whole subject by a disagreement.

Among the subjects upon which he took an active part were education and the judiciary. Until the acts of 1834 and 1836 there had been only a most insufficient public school system in the State, the Legislature having in the main neglected to carry out the constitutional provi-

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sions. The ill effects of this Mr. Ingersoll dilated on at length, and proposed a mandatory provision that would insure the right to a public education to all children. He did not succeed in this effort, and the existing provision of the constitution was not altered, but the agitation of the subject doubtless had its effect, and the laws of 1834 and 1836, which had been bitterly opposed, remained upon the statute-book and became the basis of a good system. Mr. Ingersoll also proposed that children should be taught in English or German as localities might prefer, being of opinion that the experience of almost all other countries showed that two languages would be by no means undesirable. Mr. Duponceau, who was not, however, a member of the convention, agreed with him in this, but the proposition was voted down.

Upon the judiciary, also, he spoke at length, and was in favor of leaving the power of appointment with the Governor, with the approval of the Senate, with a new provision that the Governor should have the right to remove upon vote of the Representatives. Many highly partisan judges burdened our benches at that time, and many infirm and useless ones held on to office under what was called a tenure of good behavior but was in reality (as was said at the time) one for life. Mr. Ingersoll's desire was that the judiciary should be independent but not "irresponsible." His proposition

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did not succeed, and the tenure finally inserted was for a term of years.

Another subject which he specially discussed was that of banks and corporations generally, and their powers and mode of charter. The Legislature was in those days incessantly besieged for charters for all sorts of purposes, and gross abuses undoubtedly prevailed in their grant. Moreover, the most extravagant claims for perpetual rights thereunder were made under the doctrine of the Dartmouth College case. Upon motion of Mr. Meredith, the convention had voted by substantial majorities not only "that contracts made on the faith of the commonwealth are and of right ought to be inviolable," but further "that a charter duly granted by act of Assembly is, when accepted, a contract with the parties to whom the grant is made." The latter clause was of course opposed by Mr. Ingersoll, but in a speech on bank charters he argued with great elaboration that they in any event are entirely excluded from any such doctrine. After arguing against the whole doctrine of the Dartmouth College case, he contended that, even admitting it true, banks stand on an entirely different ground, for they exercise a public organic function and constitute a part of the State's machinery, which must necessarily be within its control. His argument upon this subject was evidently prepared with care, and was very closely

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reasoned. Some of the same discussion was contained in his minority report from the Committee on Currency and Corporations, which he had presented at an earlier date. This report took strong ground against inconvertible paper money.

“The effort,” it said, “to coin money out of paper is as absurd as alchemy. Nothing can make a promise on paper to pay a dollar, equal to the actual payment of a dollar : and, whenever the promise is by law made equal to the fact, the promiser thus privileged unjustly gains at the expense of all others, not so privileged. . . . All paper, not immediately convertible into coin, is of no value, and its credit is merely fictitious. The use of it is like substituting ardent spirits for solid food, as the sustenance of life. It intoxicates and ruins. . . . It is a gross delusion, of which it is high time to disabuse the public, that our banking system is the spring of those rapid improvements and advances in commerce, manufactures, and the useful arts, which distinguish England and the United States, beyond all other countries. The parentage of these improvements is liberty united with labor. Credit can but lend, while industry always gives. And bank credit never even lends without incumbering its debtors with mortgages and hypothecations. The goods, towns, roads, canals, and other creations, which we too often ascribe to credit, are really due to work, to that incessant labor which freemen delight in, whose chief pleasure is constant employment. All banks might be struck from existence without disadvantage to it. The aid they afford to enterprise is always incumbered with onerous securities, quickly and mercilessly exacted. Individual assistance,

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by loans from capitalists, would be much more serviceable. Bank resources cannot be greater than the aggregate means of the community, and all capitalists would be lenders, if banks were not privileged to monopolise loans. They make a specious credit, the counterfeit of capital, a sort of volcanic capital, always on the point of explosion, every time it bursts, diminishing confidence in banks, which must soon be altogether exhausted of credit with all who take any heed from experience. There are few now living who have not had more than one serious warning, that discount loans cost more, and yield less, than individual loans, and that instead of being a succour, they are fetters to enterprise."

The recommendations of the report were to limit the capital of banks; to make their charters always open to alteration or repeal by law; to limit their right to issue or discount notes; to render all stockholders personally responsible; and to forbid preferences by insolvent debtors in favor of banks. These recommendations and the views expressed in the report were gall and wormwood to the pro-bank members, who were saturated with the panicky terrors incident to their class in a time of money disturbance. In every word of the report their terrorized imaginations conjured up a "mob" and a French Revolution. Accordingly, a motion to print both the majority and minority reports was voted down, after an excited debate, in the course of which Mr. Stevens

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denounced the minority report in a coarse and characteristic speech, and used such terms as "raw Irishmen," "imported patriots," "wild bulls," "Jack Cades," and "purlieus of polluted cities."

All these terms were so plainly pointed at the author of the report that Mr. Ingersoll called for an explanation, and Mr. Stevens replied that he did not mean to be personal. Though the report was thus refused publication and was violently abused by all bank and corporation men, yet it was very widely printed all over the country, and some of its recommendations were placed in our organic law. I presume that it can hardly be questioned that the very valuable provision of the constitutional amendments of 1838, that all bank charters should contain a clause reserving to the Legislature the right to alter or revoke them, was largely due to the efforts of Mr. Ingersoll in this report and on the floor of the convention. Similar provisions have since been made in other States, and our present constitution contains a still wider provision upon the same subject.

Many other subjects were discussed by Mr. Ingersoll in the convention, but I shall close my examination of this portion of his history with a couple of letters from him to Mr. Gilpin, which will admirably show his intimate feelings in regard to some of the proceedings of the convention:

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"PHILADA. Dec 20. 37

"DEAR SIR,—I send you by this mail an extract from my last speech, delivered because I was overurged and tormented to take up Sergeant's gauntlet flung on the floor *cum ira*—for my *mind* is, has been and will be absorbed by the great question at hand but not yet before us—on the repeal of charters. We shall beat them in all but votes. Whether I shall ever be able to write out what was only the *preliminary* speech I don't know. It is a terrible labor : and really for the last 3 days at Harrisburg and the first 3 weeks here we have been obliged to sleep on our arms and be booted and spurred all day long for a *mêlée*. I have therefore published dribblets of it—that now sent to you being the second.

Soon after we came here from Harrisburg, Sergeant in conversation with an active politician here—I *know* the *fact*—was told that Harrison is to yield to Clay. After objecting to that change but yielding a little, he began to question as to what was to be done for a Vicep. and at last put the point plump—what are you going to do with me? To which he recd. an answer that has caused us already three weeks of the coarsest and fiercest party debate, for our President came next day so distempered that he vented it like thunder on the first word of the first speaker that fell in his way. With eyes starting from their sockets, face like scarlet, gestures the wildest and words the hardest, he screamed till his voice disappeared, and was of course so much ashamed of it afterwards that when, after the cooling influences of a fortnight I bore up, as he saw tompions out, quietly taking the weather gage for a broadside, he started up from the clerk's table where he was sitting, and in the softest tones swallowed all his words, could not recollect them, softened them—in short

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saved himself from all but a shot over his quarter to mark, as I understand even his own adherents in the gallery did by a buzz sufficiently audible, that he hauled down the red and hoisted the white flag just in the nick of time. Five or six lawyers of our cohort have deserted since we came to Philadelphia, and I should not be surprised if more were to go.

"I have as you suppose a volume of your Tacitus which I still hope to read : but until this Convention ends or at least the tornado now distracting it ; literature, society, conviviality, all but sheer hard politics is out of the question."

"PHILADA Jan 1 1838

"DEAR SIR,—I don't know whether you have seen the other published extract of my last speech, not that I sent you, which contains some curious particulars extracted from a letter dated June 1812 from old Mr. Adams to the late Dr. Rush. I do not think it has appeared in the Globe or any other Washington paper, tho' in my apprehension well deserving dissemination as a very comfortable as well as curious bit of the philosophy of history. It is moreover my last (except one, if I resolve to publish that), as since the receipt of your late letter I have been near executing a design, ruminated for some time, of withdrawing from the excitement of public life, to mind my business a little—utterly neglected for some months, not only professional but private and even the most indispensable family concerns. I have been a slave and I long for emancipation. My resignation as member of the Convention was to have been presented this morning, but that I have been prevailed upon by strong expostulations of our democratic friends not to cause a special election, in which the last committee who waited on me to remonstrate

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against my design, late last night, Benj. Mifflin and John Horn, say a federalist would be chosen to succeed me by a majority of at least one thousand ! I had made up my mind, as I told them, not to vacate my seat, from that apprehension, but I am heartily tired and disgusted, and mere inactive membership is all I shall submit to. You will see my name to the invitation for the 8th but I took no part, shall not attend, have refused to be their orator, and mean to fall back on Tacitus and other more rational occupation than this abominable politics, in which, as Mr. Livingston used to say, not only is the play not worth the candle, but the annoyances from one's own friends are altogether insufferable. The immediate cause of my discontent, which you may have seen has been long brewing, is this :—Ever since the question of the right to repeal charters was moved a few days before we left Harrisburg, I have been, (resisting continual importunity to speak unprepared) at work almost every day before light and constantly, casting aside everything else, arming to the teeth for this greatest of issues ; and tho' not as completely ready as I should like to be, yet more so, I venture to say, than any other man—and just when about to make an argument on which I am anxious to stake my all what do the *democratic* members of Convention, under the lead of Earle and Brown, uniting with the dolts & boobies of all parties—always a large majority—but pass a regulation that no member shall speak more than an hour at a time, so that after poor Woodward and I, the only ones of our side who can draw this bow at all, tried to speak under that vile rule, the upshot was his failure by trying to condense what cannot be crushed into an hour, and my speaking less than a quarter of my argument when, tho' possibly I might have got leave to go on, yet scorning to

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speak by permission, I declared that I could not submit to such murder, and gave up, saying to all who chose to hear it—not as part of the speech, but in personal conversation—that I wd. not submit to remain a member of a body in which my own party thus fettered me, that I wd. retire (as I did that day—Friday) take till to-day to determine, and this morning, unless I should think better of it, send in my resignation. The certain result of the special election to supply my place, together with as I am told the chuckling of the federalists at the prospect, have so far fettered me again, that I can not do what I am satisfied would be right and popular so far as I am alone concerned. But as far as a retired and quiet spring summer and autumn, taking no further, active, part in the Convention or politics, so far at any rate, I am my own master. I incline to think that I shall publish the suppressed speech, but at my leisure, sometime hence but that will be all my contribution to politics and that is of the higher order—To me amusements this winter, of which I have denied myself all, to be dedicated to this unlucky speech, a long journey southwest in the spring, and Foresthill quietly in the summer are my pleasant, present dreams. I have taken up Tacitus once more in the early morning—recommencing with that capital portrait of Petronius, arbiter elegantiæ—and les Mémoires d'un homme d'État in the evening, with a gusto that is as healthful as it is delightful: and this very day will be devoted, even while at my seat in Convention, to preparing my much too long neglected letter for the Atty. Genl. about my untoward rebuff* by that little Wolf rejecting

* I do not know to what this refers.

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the \$2000 of my debt—yes debt, another bondage. Let me look to that, a little, and hang the scurvy politics.”

During the early sessions of the Constitutional Convention Mr. Ingersoll's name was proposed in several papers for the Governorship, and at about the same time he was nominated for Congress in the Third District to fill the vacancy caused by the death of Mr. Harper.

This district included the Northern Liberties, Kensington, Spring Garden, and a few smaller outlying districts and townships of the county of Philadelphia. The opposing nominee was Charles Naylor, and the campaign was a very active and bitter one. Mr. Ingersoll was attacked in the press in the most violent way, and all possible and impossible stories were raked up against him. The old “would-have-been-a-tory” accusation had to be answered and explained. His dispute with the Treasury over his accounts as District Attorney was misrepresented, and he was called a defaulter, but this charge he was fortunately able to answer by the result of the public trial he had insisted upon, and by the letter of the jury which had heard the case. That old and jaded war-horse of political slander, the charge of having caused the arrest of a woman for debt, was brought out against him, but the original record of the sheriff's return in this unhappy lady's case cleared up this

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story. It was charged that he had in 1832 "betrayed the cause of the manufacturers,"—a frequent sin of public men, if the protected interests are to be believed; but this story was met by some correspondence of the period. And the Whigs appear to have been very severe upon him—a hard-money man—for having (as they charged) recently bought a cow and given a *note* for the amount.

On the Democratic side the contest was announced to be that of "Ingersoll and hard money against shin-plaster Whiggery." The *Pennsylvanian* defiantly asked, "What are the political opinions of Charles Naylor? Does anybody know—can anybody tell?" and summed up by saying that against Mr. Ingersoll, the HARD-MONEY DEMOCRAT, was set up Naylor, "the candidate of the BANK WHIGS, the craped eagle gentry, who were defeated in 1834 and 1836 . . . who are justly regarded as Shin-Plaster or PAPER-MONEY WHIGS, and whose highest principle is strict obedience to the orders of 'BIDDLE AND THE BANK.'" Sketches of Mr. Ingersoll's life and public services were printed at length, and at least one letter from a private person told the public how kindly the Democratic candidate had some years before aided him in establishing himself in business. This letter was printed in German and in English, and was from a German, who closed by saying that

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any one might converse with him upon the subject at his residence, the "Drei Tonnen Gasthof," in Third Street between Callowhill and Vine.

The intense interest taken in the election was shown in the result; for, though the vote at special elections generally falls off, yet in this instance both candidates received considerably more votes than the candidates for the same office had received at the Congressional election in the fall of 1836. Mr. Naylor was successful by about two hundred and thirty majority, carrying nearly all the separate districts except Kensington, where Mr. Ingersoll received nearly two votes to one for his opponent. The day after the election Mr. Ingersoll published a letter, in which he said,—

" . . . To the many requests I received by numerous letters at Harrisburg to become your candidate for Congress, my answer was, that I did not feel at liberty to decline such a contest in the present crisis, any more than I would to refuse turning out to defend my country if invaded by enemies. Accepting, therefore, the unsought and perilous nomination, I left other duties to attend the canvass *as a duty*, and you will say that I went through it with unintermitting, unblenching, and unflinching constancy, doing and bearing everything I could. We have been defeated; owing to your confidence, which from first to last I never felt, and to the superior means and method of our opponents. I have taken all occasions for some time to warn the democracy of numbers, that a long and desperate struggle is to rage with the upstart aristoc-

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racy of paper money, privilege, and monopoly. Yesterday's Special Election was but the skirmish to bring on the general engagement, which will be fought with unexampled fury between the antagonist principles and parties, never to cease till either the sovereignty of the people is established, or the predominance of the vulgar aristocracy is made part and lot of American republicanism. In the first set-to, you put me forward in a conspicuous place, where I endeavored to do my best. We are discomfited, but, I trust, not dismayed ; . . . Although beaten, we are united—never was the democracy of Pennsylvania more so, or more in need of being so."

Mr. Ingersoll's more intimate feelings in regard to the election were contained in a letter to Mr. Gilpin, in which, after quoting the opinion of some friend that his defeat was owing to "traitors," he went on,—

"I know the traitors, but they did not prevent my election. It might have been carried as easily as kiss my hand, and was lost exactly as I told you and many others it would be—for want of discipline. We had plenty of votes and all the *raw* material of success : but, whenever we meet, I will tell you of such damnable neglect of the simplest organization and forecast as will satisfy you how we were beaten. So much the worse for Mr. Van Buren, but for me it has brought such reaction of popular good will exasperated to quite a pitch of endearment that, connected with certain doubts I always had of the wisdom of the experiment, leaves me in a condition of gratification.

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I expect to be in Washington before long, and then we may hold large discourse looking before and after."

It must be admitted that much of the bandying of epithets which has been quoted is not inspiring, but it was full of meaning. The contest *was* between paper-money Whigs and hard-money Democrats, and it was quite an allowable exaggeration to say that the *highest principle* of the Whigs was obedience to Biddle and the bank. We must not, under the rather repellent influence of such horse-talk, forget that Mr. Biddle and the institution he had ruled over, and which came so near a few years later to being reinstated, had wielded powers of a stupendous nature. Not only in the realms of finance did the overgrown power of the bank reign supreme, but it and its president revelled in stupendous plans for controlling absolutely the cotton and other business of the country, and it cannot be denied that it had a dangerous influence in politics.

Indeed, to put it in this language is making the case vastly less strong than it is, for the bank showed a stupendous and nearly controlling political power in the contest with Jackson, and the victory over it was obtained only after the utmost difficulty. Probably the bank would have succeeded had the Democrats been led by a less popular or less determined leader than Jackson;

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and certainly had Clay been elected in that memorable contest of 1832 the power of the vast moneyed institution would have been a serious menace.

We see enough to-day of the corrupting and dangerous influence of corporations in politics to know that the existence of a single enormous institution which extended its operations over the whole country would have been fraught with the greatest danger. That these bodies have come in time to exert so powerful an influence upon legislation and in politics generally as they do is no reason why public men sixty years ago should not have done their utmost to restrain them; and it must be remembered that the United States Bank was *relatively* of far greater power than any corporation to-day. It towered supreme above all others then existing, and had no possible competitor, while its extremely close relations to the government and its system of branches scattered over the country gave it a power of united action from one end of the land to the other, such as does not exist even in our to-day's midsummer ripeness of corporation rule. Some writers have denied its interference in politics, but historians will certainly admit it, whatever partisan writers may do. It was persistently and for years in the habit of retaining leading public men as its counsel, and many of them received its favors as borrowers. And it

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cannot be doubted that those public men who dared oppose it came to suffer for their audacity.

In Mr. Ingersoll's own immediate family there was an instance of this kind. One of his sons, John, had gone South, and in the autumn of 1837 moved to Natchez at the suggestion of Mr. Humphreys, of the firm of Bevan & Humphreys, of Philadelphia. The purpose of his removal was to take charge—to use Mr. Humphreys's words—“of my Liverpool house, Humphreys & Biddle;” and this latter house was to give him a credit, confirmed by the United States Bank, to draw upon the Liverpool firm. It was stated in the newspaper correspondence which arose later that Mr. Nicholas Biddle was very active in all this.

Upon the issuing of the letter of credit, guaranteed by the bank, Mr. Ingersoll moved to Natchez. The course of business was that he gave planters some sixty per cent. of the value of cotton, for which he received the bills of lading and sent them and the cotton to the London firm. The idea was that cotton was bound to increase in price, and in this way the planter could get enough cash to enable him to delay the sale of his cotton and secure the better price. This course of business was carried on for a year, and in October, 1838, Mr. Ingersoll, having no reason to suppose that his agency had been revoked, published a notice to the effect that he was still ready to make

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the advances. To this Bevan & Humphreys suddenly replied in December, evidently without any notice to him, that he was not their agent and had no authority in the matter.

In due time Humphreys & Biddle published a like card in London, which found its way into the American papers. This led to a bitter controversy, in which Mr. John Ingersoll showed conclusively that his agency in the matter had been recognized by the London firm within eight days of their published notice denying his agency; and his charge was that they were forced to make the second publication by the United States Bank. He was informed by Mr. Cabot (the active member of the Philadelphia firm) that the notice published in Philadelphia denying his agency had been written by Mr. Nicholas Biddle, and "as to the much controverted subject of the illicit connection of Humphreys & Biddle and the Bank of the United States," he intimated that it was not likely that that firm had the capital to hold two hundred thousand bales of cotton a whole season, and further that he had evidence in his possession upon that point.

The controversy⁴⁶ ended here, apparently. It may have its value as an evidence of the power which the officers of the bank at least attempted to exercise in business affairs, and what their power might have become had the bank been re-

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chartered. No reason appears why John Ingersoll was treated as he was in the matter: all intention to charge him with any impropriety was denied by those who so suddenly harmed him, and it is impossible to avoid the conclusion that his father's political course was at least part of the cause which influenced them.

At the time when Mr. Ingersoll was nominated and defeated for Congress at the special election in 1837, the public men of the country had before them a most difficult problem to arrange the government's finances. The Bank of the United States was a thing of the past, and the experience with the State banks as aids in the Federal finances had been most disastrous. The vast money receipts and payments of the government necessitated some financial branch, and it was an open question what this should be. After a great deal of dispute and difficulty, and only in the last year of Mr. Van Buren's administration, the problem was solved by what is known as the Sub-Treasury.

This still existing system has been regarded as the most successful legislative device of Mr. Van Buren's administration, and writers generally have extolled him for its creation. Undoubtedly, great credit is due him, and, whether he was the originator of the plan or not, he was certainly the chief force in bringing about its adoption. The credit

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of the conception has been claimed almost exclusively for him, while von Holst, on the other hand, says that it was proposed in Congress as early as 1834. Probably the truth is that, like most new things, it had been floating more or less vaguely in many minds for some years. Thus, in a speech in Independence Square as early as October 29, 1832, Mr. Ingersoll said, "I have some reason to know that Mr. Jefferson suggested to the late Mr. Dallas some such scheme as a Treasury Bank like that suggested by General Jackson in one of his late messages to Congress."

There is clear proof that Mr. Ingersoll had the great outlines of the Sub-Treasury plan pretty clearly in his mind some three months before Mr. Van Buren first publicly recommended it in his message to Congress at the special session in September, 1837. On June 13 of that year, Mr. Ingersoll published in the *Pennsylvanian* a letter to the people of the Third Congressional District, in which he clearly laid down and advocated the plan of the Sub-Treasury. He proposed, he wrote in this letter, to treat first of the effects of American banking on manufactures and on labor and industry; and, "secondly," he went on, "I will venture to suggest what appears to me to be a simple and effectual plan for restoring and preserving coin circulation without any bank at all, altogether separating State affairs from bank affairs

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and leaving each to its own orbit and operation.” After treating the first subject, he went on,—

“SECONDLY.—What, then, is the simple and effectual plan for restoring and preserving coin circulation, without any bank at all ; the remedy for state and national evils thus but faintly depicted ; which in the beginning of this letter, I promised to submit ?

“The option is between state banks, a national bank, whether of discount or a treasury bank, and, (discarding all banks) by some other method.

“Of state banks nothing more need be added to what has been the whole strain of this view. My very humble and private opinion has never been withheld during the use made of them since the removal of the public deposits from the bank of the United States, that state banks of discount and circulation never would answer the constitutional purposes of the federal government. I think they have altogether failed ; and shall consider them as out of the question.

“I believe when the late Mr. Dallas proposed the bank of the United States in 1814-15, that Mr. Jefferson's preference was for a Treasury bank ; and I never could see any objection to such a bank that does not apply to an incorporated discount bank of the United States. We have all seen the late bank defy and well nigh defeat the government : and arguing from what it did as an antagonist to what it might do as the instrument of an ill disposed Executive, I cannot understand how a treasury bank would be a more formidable presidential or party engine than such a bank as the late bank of the United States. But Mr. Madison and others of our wisest and best men having set the seal of their condemnation on a

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Treasury bank, such an institution has been discredited, and it is not for me to attempt its establishment in public good will. . . .

“The main part of such a plan, the basis of it, may be very simple and is perfectly feasible. It is but to create by act of congress so many commissioners or agents at such places as may be deemed necessary, empowered to receive, keep and pay the public funds. From twenty to thirty such commissioners at proper positions would perform without difficulty all those duties. 1. They could receive, 2. they could keep, and 3. they could pay, in gold and silver, or by equivalent credits, all the income and expenditures of government : and without any bank instrumentality whatever. Congress should build them houses for safe keeping the money, and take from them adequate security for faithful conduct in their offices.

“Thus together with the mints, a coin circulation would be established in the operations of government. Is the federal government bound to go further? Has it constitutional authority to do more? Mr. Jefferson's opinion was, I believe, that the states should surrender to the United States the regulation of currency as well as the coinage of money ; and no more urgent time than the present could be found to make that surrender should it be deemed proper.

“But, if not, and at any rate should it be thought advisable and constitutional for congress, as now empowered, to regulate domestic exchanges, the before mentioned commissioners could do it without any difficulty, but such as inveterate habit and opposition might give rise to. These commissioners being authorised by act of Congress to give bills of exchange on all parts of the Union, on payment of the amount of such bills in gold or

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silver, (or unquestionable equivalent,) charging no more than the mere cost of transportation from where the bill of exchange is given to where it would be payable, might thus furnish bills of exchange, having great advantages over mercantile or bank bills of exchange, viz : that being drawn on, and after actual deposit of the hard money, there would be no risque of damages, and could be no failure of payment.

" *Some such* simple plan, it is with deference submitted, is possible and would succeed."

Mr. Ingersoll was again nominated for Congress by the Democrats in the Third District at the regular election in the fall of 1838, and had another spirited canvass with Mr. Naylor. The old accusations were brought out once more, and he was moreover accused in the *Daily Advertiser* of entertaining Jacobinical sentiments. He and his party maintained that he had in reality been elected at the special election in 1837, and had been defrauded by the device of fictitious names on the assessors' lists, and they feared the same practice would be carried out again, and in a speech in Spring Garden, on September 13, Mr. Ingersoll advocated the use of force at the coming election in certain contingencies as the only effective means to prevent fraud and as conducive in the end to fair elections. This was the origin of the *Advertiser's* accusation. The result, on the face of the returns, was the election of Mr. Naylor by

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about seven hundred or eight hundred majority, but the Democrats maintained that gross frauds had been perpetrated against them, and on their motion the return judges threw out the whole returns from the Northern Liberties, and the result was then the election of Mr. Ingersoll. Kensington and the unincorporated Northern Liberties were the districts in which he obtained his majority.

There were two sets of returns this year as to the Philadelphia members of the Legislature also, and some contest, moreover, over the Governorship. Troops marched to Harrisburg, and party feeling ran very high. It was the time of what has been called the Buckshot War. Both Mr. Ingersoll and Mr. Naylor obtained certificates of election, and took part in the first steps of the preliminary organization of the House in December, 1839. Mr. Ingersoll's name was alone on the clerk's roll, but during the contest over the New Jersey members (before organization and before Pennsylvania had been called) the Whigs managed to admit Mr. Naylor as the *prima facie* member, and Mr. Ingersoll thus found himself burdened with a contested election. He spent much time and trouble in the production of evidence before a committee, which finally reported against him by a single vote. A mass of testimony making a book of five hundred and forty pages was taken,

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but was, of course, not read by members. He was also heard in his own behalf before the House, and his contest was only finally disposed of near the end of the term, January 15, 1841, when the House resolved by a small majority that Mr. Naylor was entitled to the seat.

Before this date, however, Mr. Ingersoll was a member-elect of the Twenty-Seventh Congress. He had been again nominated in the summer of 1840, and Mr. Naylor against him. The Democrats had challenged the latter to stand and make the old fight over again, alleging that the result would show the truth of their charges of fraud, now that a new election law secured an inspector to both parties in every precinct; but Mr. Naylor withdrew after a few weeks,—the Democrats alleged that he dared not face the contest, now that the opportunity for fraud was so much reduced,—and Mr. Morton McMichael was nominated in his place. A new charge was made against Mr. Ingersoll in this campaign, that he had been guilty of “ordering a suit of clothes from Paris.” This charge was made in the *Inquirer*, but a correspondent criticised the paper for making a charge of such a prying nature, and the *Pennsylvanian* gravely explained that the suit had been ordered of an American tailor in Paris, who was travelling in this country at the time. The result of the campaign was Mr. Ingersoll’s election

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by about thirteen hundred majority; and this is worthy of note upon the question of the alleged frauds, for the elections in general went overwhelmingly against the Democrats, and they even lost Pennsylvania. Many years later, after his retirement from public affairs, Mr. Ingersoll wrote, "The prevalent impression since with all parties has been that I was twice defrauded by false votes and returns."

During the campaign Mr. Ingersoll had explained his position on the questions of slavery and abolition. Letters upon these subjects had been addressed to him by abolition societies during the special election in 1837, and he had been anxious to answer them at length, but had allowed himself to be dissuaded by his friends, and had finally replied that he would answer fully at any time when his opponent should do so. This ended the matter for that campaign, but the same questions were again asked in 1838, couched in most vague and general language, and he then of his own motion defined his position at length in public speeches. In 1840 he expressed his views in a public letter, after he had vainly endeavored to induce his questioners to be more specific. What these views were will appear more fully hereafter, but it may be said here in a few words that he stated in his answer that he disliked slavery, and thought it both disreputable and

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detrimental in a community like ours, but was strongly opposed to the abolition agitation; that he was opposed to abolition by Congress in the District of Columbia; and that, though he respected the sincere abolitionist, he thought "the worst traitors to the United States are those who for factious purposes affect abolitionism."

CHAPTER VII.

Mr. Ingersoll in Congress—His District—On the Judiciary Committee, and Chairman of Foreign Affairs—His Course generally—The Slavery Question—How the Problem presented itself in those Days—The Abolitionists were Disunionists—Mr. Ingersoll's Speech on the Twenty-First Rule—His Course on the Tariff—Tyler—The Sub-Treasury—General Jackson's Fine—Conflicts with Mr. Adams.

It was the Twenty-Seventh Congress to which Mr. Ingersoll was thus elected, and he was also elected successively to the Twenty-Eighth, Twenty-Ninth, and Thirtieth Congresses. He seems to have narrowly escaped defeat by the Native American candidate in 1844, but in the other elections he had no trouble. His district was originally the Third District, and comprised all of the county of Philadelphia except East and West Southwark, Moyamensing, Passyunk, Kingsessing, Blockley, Penn Township, Germantown, Roxborough, and Bristol. Under the apportionment of 1843,⁴⁷ its name was changed to the "Fourth," and it was made to consist of Kensington, North and South Penn, Roxborough, Germantown, Bristol, unincor-



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porated Northern Liberties, Oxford, Lower Dublin, Byberry and Moreland, Blockley, West Philadelphia, and Kingsessing.

Though the evidence upon the subject is rather meagre, yet I do not think that Mr. Ingersoll was, as a rule, actively concerned in the management of practical politics. He was occasionally active in questions of patronage, but my impression is that his time was far less taken up by these matters than was that of most public men. On one occasion, in the fall of 1837, I find that he was called home from Washington "to save the ticket," and wrote Mr. Gilpin as follows :

"I find it [the ticket] in great danger even in Philadelphia *County* from selfish thirst of office, disunion and other causes of disaffection—Irish dissatisfied en masse in Southwark & Moyamensing and so forth. It is really a harder undertaking than I anticipated, and sometimes I feel quite discouraged. Sutherland, Burden [?], Simpson, and dozens of others all pulling each his own way, and the only good prominent men estranged and out of humor. I am in town to-day to see what I can do, and had some resolutions passed—and unanimously—at the town and county conference yesterday which I hope may serve as a rallying point. But really we are in trouble and jeopardy. If I can prevail on them to disregard all office hunting till after the election, not only disregard but discountenance it, and rally on the President's Message, that may at least postpone the crumbling to pieces which I fear is inevitable."

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His ideas upon removals from office were given to Mr. Gilpin early in Mr. Van Buren's term, and he came near to expressing the same view which has been expressed upon the general subject and particularly upon "offensive partisans" by a recent President. He wrote upon November 8, 1837,—

"Aware that what we call rotation may be less popular, perhaps odious, in regions to be attended to, and having myself strong feelings as well as an immovable opinion on the subject, I lay down principles viz :

"1. The south and southwest *are won*—I trust so—and the centre *must* be attended to a little *now*.

"2. Let the *law* remove, the Executive *never* but for cause. But when the 4 year law makes a vacancy, the President should *so* consider it and *make known* that he will always do so.

"3. Every opponent in office should not be removed. But every *active, salient*, opponent in office ought to be forthwith removed. Spare opinions, but not overt acts.

"If this sometimes cuts back-handed, so much the better."

He had been a supporter of Van Buren, and had been active in a reception tendered him in Philadelphia in the end of March, 1841; but he evidently came to the conclusion that his renomination would be unwise in 1844, and he and Mr. Rush and others tried without success to nominate Commodore Stewart. Mr. Adams says that Mr. Ingersoll told him this was a move against Bu-

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chanan, and a letter of Mr. Ingersoll's shows that the plan had been started, with his strong disapproval, by some active politician as early as November, 1837. He was mentioned by some friends as a candidate for the speakership in the Twenty-Eighth Congress, but was not among those voted for; and he was suggested for the Senate in 1845, when Mr. Buchanan went into the cabinet, but Simon Cameron was the successful candidate.

During the eight years, from 1841 to 1849, in which he was in Congress, many points of the greatest importance were discussed and decided,—some of them finally, others to come up soon again. The Federal Treasury system, the banking system, Texas, the Mexican War, the growth of the anti-slavery agitation, and the disputes with England over the case of the *Caroline*, over Oregon, and over the Northeastern Boundary, presented an abundance of material for decision, in all of which he took a very active and leading part. In our system we have not any definitely chosen leader on the floor of the House, but Mr. Ingersoll was undoubtedly among those recognized by tacit consent as leaders on his side. And this position he gained very early in his first session.

Indeed, during the organization of the House, and within a few days after its meeting, he made one of the leading speeches on the subject of the Twenty-First Rule; and on all questions of most

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importance—the tariff, the fiscal bank, the exchequer, and all the financial questions of the day—he took an active part in the debates and had the members' close attention. His speeches usually bear the marks of careful preparation, and contain historical and other information,* which can have been gathered only by a good deal of labor. Some of them were biting in sarcasm, and occasionally they were full of a humor which threw the members into convulsions of laughter. He was strongly opposed to the limitations upon debate, which were enforced with great stringency in the Twenty-Seventh Congress, and at the close of the first session addressed a letter to his constituents, in which he reviewed this "unconstitutional suppression of freedom of speech" and the other striking events of the session, which he called "the revolution of the hundred days." The awful contrast between the promises of the Whigs and their almost ludicrous failure upon the death of General Harrison was set forth in sharp contrast in this letter, which received attention far and wide over the country, was reprinted from the *Globe* into other papers, and was caustically reviewed⁴⁸ in the *National Intelligencer*.

* See, e.g., his speech on the Fiscal Bank Bill on August 5, 1841 (*Congressional Globe*, Twenty-Seventh Congress, first session, pp. 401-410), containing in an appendix a most elaborate history of American money.

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Mr. Ingersoll was originally assigned to the Judiciary Committee, of which he had been chairman in 1813-15; but his name was put near the foot. He complained on the floor of "being thus thrust down to the tail of the committee;" but in the very next Congress (the Twenty-Eighth), in which the Democrats held a clear majority, he was given the very important position of chairman of the Committee on Foreign Affairs, and he was continued in the same position in the Twenty-Ninth Congress. In the Thirtieth Congress the Whigs appointed him on the same committee, but of course did not give him the chairmanship. He was, I think, usually a strong party man, but occasionally introduced measures which were exclusively his own.

Proud of his country, inspired with no small idea of our imperial greatness, and somewhat assertive of a bold and rigidly exclusive American policy, he thought it best to widen our limits in certain directions,—and what would the country be to-day without those regions?—and he strongly advocated the annexation of Texas, faced war with Mexico without hesitation, and thought we should have been vastly more firm in asserting our rights against England. He had, moreover, grown up during the very early days of the Union, and knew from the lips of the generation which preceded him that the Union might well have never existed; he

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had heard from them all the compromises and agreements which alone had led to its formation ; and these agreements he was in favor of maintaining as an integral part of the Union itself. His life ran far back into a period of history which is now nearly forgotten, and he had himself as a student at Princeton seen farms in New Jersey tilled by negro slaves.⁴⁹ Impressions made so early are rarely eradicated.

What was his private opinion on the subject of slavery, which was then beginning to throw our whole public life into turmoil, will be seen later, but he knew its history in our country: he knew that the Union would have been absolutely impossible without the compromises and agreements upon the subject contained in the constitution, and he was in favor of preserving and executing those agreements. He knew, moreover, that the agitation upon the subject of slavery, which was made by enthusiastic abolitionists and was soon used by politicians for political ends, had a direct tendency to break up the Union and thus involve the country in unspeakable and incalculable woes, and he did his part on the lines followed by the vast majority of our leading men to stop and allay this turmoil and to save the country from the peril of disunion. It is easy for writers to-day, thirty years after the event, to concoct elaborate treatises upon the certain result of the war of 1861-65, and

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to prove to their satisfaction and that of some of their readers that the war was always bound to succeed, and that from the beginning of the secession movement the Union was absolutely certain to be preserved. But hindsight is very different from foresight. To the man who lived fifty and more years ago and had to act upon foresight,—to the statesman knowing the grave risks of radical change and confronted with an agitation which was morally certain to result in an effort to disrupt the Union, surely the true course was to try to allay the disturbance.

That the intense agitation of the subject during the thirty or forty years preceding the war—and there never was a set of men who knew better how to agitate and ever to keep agitating than the abolitionists and the politicians who took up their cries—had had the direct result of intensifying and solidifying the pro-slavery sentiment of the South cannot be doubted; and the country was rapidly separating into two hostile camps, North and South. Mr. Madison, a short time before his death, had said ⁵⁰ to Mr. Ingersoll that in his opinion “the worst effect of the abolition excitement would be to lead the minds of Southern men from looking upon slavery as a necessary evil, to looking upon it as one of the greatest blessings” they could enjoy.

To say, as is and was so often said, that the

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Northern agitators desired only to stop the spread of slavery, and had no intention of interfering with it in the States where it existed, is to be either very unfair or very blind. For it was plain beyond peradventure that the agitation which had so grown already would not cease to grow and to augment its demands; that if it succeeded in placing the slave States in a dwindling minority it would soon make further claims, and the minority would before long find itself still further pressed. The agitation, even during its few years, grew with tremendous strides, and, instead of stopping at a mere effort to prevent the spread of slavery in the Territories, it demanded in a loud voice abolition in the District of Columbia,—where the Southerner had to come as well as the Northerner; it demanded that the system of slave representation, one of the leading compromises of the constitution, should be abolished; it not only refused to carry out, but openly legislated by “Personal Liberty Laws” against, the return of slaves under another of the compromises of the constitution,—which had been entered into by the fathers as an integral part of the Union; and public feeling in some States came in time to banish to a private career the public man who had any part in executing the law.

As to the Southerner, who grew up from infancy with slavery around him and knew how impossible it was to abolish the system without radical

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and revolutionary change, can we wonder that he insisted, as a mere matter of self-preservation, upon the right to settle with his slaves in the Territories, which were his patrimony as much as that of the North, and that he tried in other ways to widen his domain, and later came to threaten and think seriously of disunion? And to the Northern statesman, who had not taken up the anti-slavery cry for political profit, the agitation of the abolitionists seemed a great evil, and he, of course, united with the South in a laudable effort to quiet the disturbance and to preserve and enforce the constitution in all its clauses. The enthusiastic moralist, who convinces himself that slavery, or property in land, or all private property, or primogeniture, or aristocracy, is a moral canker, to touch which is to be polluted, is entitled to a high degree of respect and often of admiration, but he is not a statesman; and the statesman, having the lives and happiness of millions dependent to some extent upon him, will rather seek the greatest good of the greatest number, even though wrong be done to some, than turn the whole system upside down and plunge his country into revolution and war. Wrong, grievous wrong, exists in the world to-day, and always has existed, and man sees too short a distance ahead to enter rashly upon revolutionary change until the evils endured have grown well-nigh intolerable.

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But to the public man the course to pursue was more clearly indicated in this case than in most others, for the abolition movement was distinctly coupled with a movement for disunion; its leaders almost to a man openly detested and reviled the constitution, were fairly ribald upon it, invoked curses upon it, and prayed and hoped for the dissolution and disruption of the Union by any means and at any cost. Even the venerable John Quincy Adams, who had been a statesman of wide repute so long and who was so *mild* as on occasions to incur the disapproval of the abolitionists, proclaimed in the House in 1844 that "he believed in his soul, if it [the proposed amendment abolishing slave representation] was not made before long, this Union would tumble into pieces;" and he several times introduced into the House petitions for the dissolution of the Union, coming from abolition sources.

William Lloyd Garrison called the constitution an "agreement with death and a covenant with hell." James Wilson stated that he would rather dissolve the Union or the universe than extend slavery, and Horace Mann and Samuel May concurred with him. Henry Wilson wanted openly to nullify the constitution as to an escaped Texan slave, and was ready to act in favor of emancipation with any party or any set of men. Wendell Phillips invoked his curse upon the constitution

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because of slavery, and thought no abolitionist could consistently demand less than its dissolution. A proposed professor was rejected at Harvard because he had as commissioner returned a slave. The Massachusetts Legislature addressed the governor to remove a judge for enforcing the fugitive slave law, and its execution was opposed *vi et armis* by the best citizens, and agents under the law were advised to leave Boston while unmolested. Massachusetts and some other States made it penal for their officers to execute the fugitive slave law of 1793, and a Boston meeting publicly resolved in 1850 that they would not permit the execution of the fugitive slave law by the United States authorities, speakers even predicting that if the United States marshal were killed in the effort no jury would convict his murderer. The American Anti-Slavery Society and the New England Anti-Slavery Society—the latter by a nearly unanimous vote—declared against the Union in 1844, and at least two State societies were openly in favor of its dissolution in 1850. Henry Wilson tells us that there was a class of abolitionists who agreed with Garrison's above-quoted opinion, and he has produced ample evidence of their general hatred of the Union and desire to dissolve it.⁵¹

These numerous instances cannot be brushed aside by saying that they were sporadic; they were undoubtedly typical. That the original abo-

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litionists were guided by the impulse of their hearts may be freely admitted, but it ought to be equally admitted to-day in the arena of history that a vast deal of the noise and agitation of the subject was due to the wiles of politicians, who scented an issue that might lead them into office and then made the most of it. That such was the case was ⁵² asserted by Webster and admitted by Raymond, and, though not emphasized by our historians generally, is certainly a fact.

I have gone into these matters of history at some length, because they are vital to an understanding of Mr. Ingersoll's course upon many subjects. Such persistent efforts have been made to write down the statesmen of his day who thought as he did that it is doubtful whether it is possible to-day even to secure the ear of many readers. But I submit that in his time and for many years the anti-slavery movement was distinctly and avowedly united with a movement for the dissolution of the Union, and that in the light of this historical fact it is absolutely false to teach, as von Holst and Schouler and our historians of that period generally do, that the men who opposed the abolition sentiment and in the main supported the South were wrong, blind, and wicked. Schouler does write ⁵³ in one place that "time should deal very gently with the loyal conservatism, North and South, which deprecated all

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agitation on this tender subject" [slavery]; but it is a sad blot on his often admirable history that, whenever he himself approaches the subject of slavery or the South, he drops* the historian and becomes a mere rabid partisan; while von Holst concocts many pages of what he miscalls a "constitutional and political history" largely of the political clap-trap and absurd campaign nicknames of one side. The German author seems to have no comprehension that there is anything in our history but the overthrow of what he calls the "slavocracy," and must clearly have taken up his pen with a fixed plan of writing down all our public men who did not join in the abolition cry. Such works are not history, and the man of that time who sided with Clay and Webster and the great host with them, in favor of the Union and against the incessant agitation which imperilled it, will certainly rank higher in American history—should a real history ever be written—as a statesman and patriot than will those who were forever throwing fuel on the fire controlled by the men who loathed the Union and proclaimed their fixed determination to destroy it.

It has already been said that, within a few days

* What *does* this writer mean when he speaks (History, iv. 56) of the Southern delegates to the Free Trade Convention of 1831 as "Arabs"?

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of the first meeting of the Twenty-Seventh Congress in extra session, Mr. Ingersoll made a leading speech upon the subject of the famous Twenty-First Rule (the rule to prevent the reception of abolition petitions); he had moved to reconsider the vote by which the House had agreed to Mr. Adams's amendment to strike out that rule; and in his speech upon the subject he pointed out to the Southerners that the true course was to modify the rule so as to take from their opponents the grounds for calling it a "gag-rule" and a violation of the right of petition. On the latter point he further argued that the right of petition is not an American but an English right, and that here the people have the far more extended right of instruction. After referring to the constant agitation of the subject from England, and their absolute government of "eight millions of oppressed Irish, of one hundred million enslaved East Indians," he called upon Mr. Wise, after proper Congressional action, to get the President to instruct our minister in Great Britain "to retaliate this insulting interference."

"Let it be represented," he said, "in the blandest terms of diplomatic intercourse which humanity requires and good policy enjoins, that the Irish people should be allowed a Legislature of their own for their local affairs; that our own experience proves that a great central Legislature for

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remote municipalities is not less injurious to them than to the metropolitan state. Let them be told that the interest they express for the emancipation of our slaves, we heartily reciprocate for theirs. Put a stop, in short, sir, to the impertinent intermeddling of the English Government and English individuals with our established institutions by similar remonstrances against such of theirs as are much more obnoxious to complaint, and my life upon it in a very short time Abolition will be much less agitated than it is. The source of it is in England, the streams are but tributary which flow through parts of this country. Let me say to the torrid South, that with all its animation, it has never repelled with sufficient vigor this foreign invasion of its rights, and traduction of its character. In the central States, I believe we are almost all nearly of one mind respecting slavery as an evil and slavery as a right. The gentleman from Massachusetts spoke of the Pennsylvania act of Assembly, which led the way to Abolition, as an event of thirty or forty years ago. Sir, it is sixty years since that statute was enacted for the *gradual* abolition of slavery *within* the State. Even then, before a Federal Constitution had imposed its obligations, none of the wise and benevolent originators of that act thought of *immediate* emancipation even *within* their own State, or of interfering with slavery at all in any other. It was reserved for modern subserviency to British propagandism, to denounce bondage, and attempt to put an end to it extra-territorially. The people of the South may rely upon it, that those of Pennsylvania, and, I believe, of all the free States, are still as averse as ever to such injustice. There is little or no difference of sentiment upon the subject. We consider it an evil which we are happy to be rid of, but we are unwilling to judge for those of other States, who may or

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may not think as we do, and with whose institutions we have no right to interfere, directly or indirectly, either by agitation or by law ; whom, on the contrary, we are bound to maintain in all their federal rights, and to let alone in all their State rights. I repeat, then, that the policy and the duty of the South, instead of the futile expressions of lofty indignation, is to vindicate themselves by uniting with the North, to repel foreign disparagement, to rouse the enthusiasm of patriotism, to repel that of fanaticism, and thus to put an end to its aggressions. For my own part, I do not hesitate to call myself an Abolitionist, in the sense of Washington, and Jefferson, and Madison, and Marshall. In that sentiment, the people of my State, and I believe nearly all those of the Middle States—the great central zone which binds this Union together—are well nigh unanimous, and altogether resolved, without distinction of party, ready, by all lawful means, to put down those who propagate and foment the dismemberment of the Union and disgrace of the American national character. . . .

“ The venerable member from Massachusetts talks of an insurrection of the slaves and servile war, with an argumentative composure which I cannot conceive of. Sir, I was astonished, and I must say my blood curdled with horror, when I heard a gentleman of his high and influential position, whose sentiments must make a deep impression, not only throughout this country, but abroad ; a past President of the United States, declare on this floor—let me be corrected if I misunderstood him—that in the event of a servile war, the Constitution of the United States would authorize the catastrophe of the universal emancipation of all the slaves of the eleven slave States of this Union by means of the treaty-making power.

“ MR. ADAMS here rose in explanation, and said he did

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not say that, in the event of a servile war or insurrection, the Constitution of the United States would be at an end. What he did say was this ; that in the event of a servile war or insurrection of slaves, if the people of the free States were called upon to suppress the insurrection, and to spend their blood and treasure in putting an end to the war—a war in which the distinguished Virginian, the author of the Declaration of Independence had said that “God has no attribute in favor of the master”—then he would not say that Congress might not interfere with the institution of slavery in the States, and that, through the *treaty-making power*, universal emancipation might not be the result. And he would say, further, that, if this twenty-first rule is reinstated, the people of the North will be *ipso facto* absolved from all obligations under the Constitution.

“MR. INGERSOLL resumed. This is no time, Mr. Speaker, to deal with constitutional doctrine, so easily refutable. Yet I cannot refrain from remarking that the honorable gentleman from Massachusetts attributes to the Executive branch of this Government a prepotency hitherto unheard of. It was he who formerly, I think, denied that by the treaty-making power, Louisiana, with all its offspring of States, could be incorporated with this Union. And it is he who now assigns to the treaty-making power the formidable and destructive faculty of sundering the Union, and desolating one third of it in frightful extermination, by refusal, as uncharitable as it would be unconstitutional, to suppress an insurrection of the slaves. All Southern abstractions may hide their diminished heads before this prodigious and portentous distraction of that most experienced and distinguished statesman. Speaking also, as I always do, with reverence for the purity of his motives, and the elevation of his character, I must add that Caro-

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lina nullification is insignificant contrasted with the transcendental abruption of his Northern divergence, which, *ipso facto*, dissolved the whole North from all Federal allegiance by force of a mere rule for ordering the business of this House. . . .

“What is an American Abolitionist, I have never been able distinctly to understand. Denunciation, declamation, passionate, unmerciful and unmerited abuse of Southern institutions, reviling slavery as a sin, and the slave trade as piracy, are neither arguments nor reasons. I want to know what it is distinctly that is proposed to be done for the removal of the alleged grievance. It appears to me that there are three classes united in this conspiracy, who may be characterized as—1st; mere enthusiasts or zealots, who do not pretend to reason, but merely declaim, denounce, and vilify. 2d; rational Abolitionists, such as those by whom I am desired to present the petition to this House which I now hold in my hand, asking for an alteration of the Constitution of the United States to exclude eleven of them from the Union. And 3d; partisans, to whom Abolition is a cloak or disguise by which to impose A or B as a President or member of Congress upon the community, or to prevent their elections, as being favorable or inimical to the abolition of slavery. Of these, the first category are to be treated with the tenderness due to sincere anxiety. Ever since the crusades there have been and will continue to be, propagandists and missionaries riding their hobbies in one direction or another, either this way or that, who cannot be controlled while they violate no laws, like such as seek any other species of recreation or excitement.

“The second category, the rational but impracticable Abolitionists, those who seek to dismember this Union by

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a change of the Constitution, which never can be accomplished, must be controlled. The law must be enforced against them. They are not to be allowed to confound a supposed right of petition with the abuse of Abolition, or otherwise to disturb the constitutional repose of this Union and the undeniable right of each State to adopt, refuse, and otherwise regulate slavery, as its citizens may think proper. The third class—I declare here what I stated in another public assembly—the Convention of Pennsylvania—partisan Abolitionists, are among the most reprehensible traitors to this country; who, though they cannot be punished in the regular administration of penal justice, ought to be denounced to universal reprobation. Without an impracticable organic change, to what practical or possible end can their movements lead? *Cui bono?* What *can* they come to? What *must* they end in? It is universally agreed that slavery is not of Congressional jurisdiction, except in this District. There seems to be no denial of the established doctrine that any State may use it that thinks proper to do so. . . .

“And what are its [Abolition's] inhuman influences on bondage? Some years ago, as I understood the gentleman from Massachusetts, a resolution actually passed this House to abolish slavery in the District. Now, he owns, even he cannot vote for it. He does not believe it would get more than very few votes in this House. It is too soon for emancipation. Wherefore, but because it has been clamored out of favor by ungenerous denunciation of the cowardice of the South, made cowards by conscience, which stings the Southern heart with apprehension that in a conflict between master and slave there is no attribute of the Deity to incline him to the master? Such is the philosophy of this agitation. In Maryland,

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Virginia, and Kentucky, slavery was waning, receding, declining. If the curse it is said to be, the argument is irresistible that spontaneity would remove it sooner than coercion—legitimate, gradual, beneficent emancipation, not the placard, the torch, the rifle, and the gallows. But Great Britain, by violence, having increased the foreign slave trade, as is every successive President's information to Congress, and fearfully aggravated its vast horrors, English and Americans, in deplorable and inhuman combination, are engaged by untimely agitation in disquieting the slaves, abusing and endangering their masters, and depreciating the property of large, moral, tranquil, and prosperous portions of our country. They procrastinate, they prevent Abolition. They add rivets to every chain. They drive the iron deeper into every soul in bondage. They preach and teach hopeless revolt and suicidal insurrection. They expose several millions of unoffending whites to the reckless butchery of some millions of infuriated blacks. They provoke dreadful reactions. They foment deadly animosities. They breed incurable calamities, by perversion, ay, profanation of humanity ! As charity, the benignest offspring of our blessed religion, is the cement of individual well being, so is comity the bond of nations, and compromise the only tie of this confederation—of all legislation. Not an act of Congress becomes such, without large infusions of compromise. But Abolition spurns all—charity, comity, compromise, Constitution, law, order, religion, peace—it tramples down all with an iron hoof of unmerciful fanaticism. I visited Mr. Madison a few weeks before his serene and philosophical death. He was extremely feeble, unable to sit up. But he raised his almost exanimate body from the couch, when speaking to me of modern Abolition ; he said that,

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to it alone, we owe not only the lamentable arrest of onward emancipation ; but, till it intruded, no Governor in Carolina extolled slavery as a happy balance of her Government, no Virginia professor vindicated its moral advantages. . . .

“Respecting the third question which I premised, that of regulation, I must confess that I do not like the 21st rule, because it is both too comprehensive and too stringent. We are not now called upon to repeal, but to renew it ; and if I might judge for myself or those I represent, I would prefer seeing it at least modified. I am unable to judge of the effects which its abandonment now, after being in operation some years, might have on the slave-holding States. It may look like yielding to what they deem ungenerous agitation, and unconstitutional aggression, and so prove injurious to their cause. But I cannot help thinking, that if there were no hindrance to petitions on this subject, Abolition would soon expire by spontaneous combustion. . . .

“Yet, I would like to see this rule so pruned of some unnecessary phraseology, and, moreover, so modified in principle, as to render it strictly and unexceptionably conformable to the real, constitutional position, proper to be occupied by those on this floor who think as I do on the subject. Whatever may be said, sir, of the fiscal and economical necessities of the country, this, after all, is the greatest of topics. This is the question of by far the most pervading, the most enduring, the most vital importance. It is the topic of the world, the question of the age. Parliament and Congress are both engaged upon it. English as well as American elections turn upon it. I feel anxious, I confess, very anxious, so to vote upon it as to be exactly right, to yield no principle of conscience to the

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pressure of any kind of expediency, but to maintain the Constitution we have all sworn to support, in its very letter, its very spirit and true construction."'⁵⁴

This speech was made in the midst of the most incessant interruptions, by calls to order upon the charge that he was wandering from the subject, so much bad feeling was there upon the question. Mr. Ingersoll's motion to reconsider was defeated, but a slightly different one prevailed, and the Twenty-First Rule, still in the same form, was continued as a part of the rules of the Twenty-Seventh House. It was finally repealed only at the last session of the Twenty-Eighth Congress, and thus there was removed a very striking instance of the folly of power. It had served little purpose but to give the abolitionists and professional agitators an opportunity they were not slow to make the most of, and after its repeal the same practical result was reached of smothering the abolition petitions.

Upon the tariff Mr. Ingersoll's course in Congress was the same as that he had followed for many years. He voted against the tariff of 1846, and had voted and spoken in favor of the higher Act of 1842. His main speech was upon the bill which passed the House in July, 1842, and was vetoed, and he then proposed a bill which omitted the land distribution clause objected to by Mr. Tyler, and fixed the rates in the main at the same figures

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as had prevailed, under the Compromise Act, during the year 1839. His proposal, however, failed; and the bill introduced by Mr. Fillmore from the Ways and Means Committee passed with his approval. His wish was to attain stability and certainty in the tariff, and he thought the compromise of 1833 had been very beneficial in this respect. He greatly disliked the sudden growth of vast fortunes under the tariff, and said in 1842 of the Act of 1828,—

“I confess its extravagance. It was too stimulant—over-bountiful. When an honorable gentleman from Connecticut tells us that all the streams of that State have been covered with manufacturing villages by acts of Congress : when we hear of enormous fortunes acquired in a short time at Lowell by incorporated labor,—we are informed, I think, of manufacturing excesses which do not deserve commendation or encouragement. Congress should plant no hot-beds of manufactures. . . . There must be severe competition, or there will be no durable success.”⁵⁵

It was upon the veto of the earlier tariff bill that the exasperated Whigs, on the motion of Mr. Adams, appointed a special committee to consider the subject of the executive vetoes. Mr. Ingersoll was upon this committee, and drew up one of the minority reports defending Mr. Tyler. His personal relations with that “President without a party” seem to have been pleasant, but their rela-

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tions were no closer than this, and he repeatedly opposed his policy and even his pet schemes. The repeated vetoes, which so utterly broke up the Whigs, were of course welcome to him, as they advanced the policy he favored; but he by no means fell into the egregious error of becoming a Tyler man. When charged by Mr. Raynor with being one of a procession of Democratic members who had marched to the President's and had there given the sentiment of "veto and ditto," he was able immediately to deny the charge. And on the subject of Mr. Tyler's exchequer system—a measure most strongly urged by the Executive—he made the last speech against it, and the reports of the day record that "all the members crowded up to hear him, and the House was as still as death." In this speech he said,—

"But I cannot yield to this measure, which has been pressed, *and so unduly pressed upon us by the President!* From all that I can see, hear, read, and learn, the President seems to have made the passage of this Exchequer a strong and favorite object. Sir, with all the respect and gratitude that I feel for that distinguished man, that fact, sir, would be an additional reason for me to vote against it. But to return to the act of '89, sir; are gentlemen aware that that act not only creates an Independent Treasury, *but an Independent Secretary of the Treasury?*—one who is not obligated to make his reports to the President, but must report to this House. And this House can at all times, by resolution, call that Secretary to the bar of the

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House—not being under the necessity of writing to him for any information it may want, and receiving written answers; but the House has the power of placing that Secretary of the Treasury there at the bar, and then and there to question him to the fullest extent as to the state of the finances, the public treasury, and every matter within the scope of his duties. A peculiar power, this, and showing what was the design of the wise and prudent framers of that act. That act of '89 has not been altered since—it still stands on the Statute Book, and there it will stand until something better shall take its place.''⁵⁶

Mr. Ingersoll was opposed to complicated rules of procedure for the House, and always glad of the opportunity to curtail them; and, I suppose, was not a skilful parliamentarian. He favored a high standard of efficiency in the public departments, but was evidently much impressed with the rapid growth of uncalled-for expenses in every branch. The expenses in the halls of Congress themselves was a matter to which he directed his animadversion, and the rapidly augmented judicial expenses also he endeavored to reduce. The same was also the case to some extent as to the navy, though here especially he favored a high degree of efficiency. To our system of foreign missions and consulships he devoted a good deal of attention, and at several periods introduced bills to reduce their number. His opinion was that we do not need missions except at the more important

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places, and he thought that the principal purpose they should serve, except at the great capitals, was as commercial agents to extend our foreign commerce.

When the Sub-Treasury was re-enacted at the first session of Congress during Mr. Polk's term, Mr. Ingersoll of course supported it earnestly, and said he thought it of far more permanent importance than even Oregon or the tariff. It has been seen that he was one of the first to advocate the measure, and, indeed, one of its originators. The re-enactment of this great device practically removed from public discussion for many years the subjects of banks and the currency, which had for so long nearly driven the country distracted.

The refunding of General Jackson's fine was another matter in which he took an active interest. Petitions for the passage of an act for that purpose were early introduced into the Twenty-Seventh Congress, and he presented a minority report from the Judiciary Committee in its favor, but the measure failed. In the end of June, 1842, Mr. Polk called on him with papers on the subject sent by General Jackson to Mr. Kendall; and Mr. Ingersoll in July of the next year published an elaborate pamphlet upon the subject. I presume from these facts that this pamphlet is to be considered as presenting with authority General Jackson's side of the question. In the preface to the

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pamphlet its author writes that members had several times objected that his minority report from the committee had presented "rather the poetry than argument of the case," and that he published the pamphlet to meet this objection. A new bill for the purpose was introduced by him early in the Twenty-Eighth Congress and became a law.

One other point which should be mentioned is a series of desperate conflicts of debate between him and Mr. Adams, which ran through more than one Congress, and which (I have been told) were followed with close interest by the public. Mr. Ingersoll said in the House that he had been repeatedly warned by an anonymous writer, who signed himself "Lynch," to desist from these battles, but they went on during at least two Congresses. In earlier life the two men had been friends; but as the separation of parties grew, and as the North and the South drew themselves up almost in battle array, under the impulse of the anti-slavery agitation, Mr. Ingersoll tended to one side while Mr. Adams tended to the other and became a leader of the agitators. Mr. Ingersoll, moreover, felt that in this bitter fight, which was fast consuming the very vitals of Union, it was specially the function of men from the great central States to act as arbiters between the warring sections.

Indeed, this was one of the cardinal points of

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his political belief, and he repeatedly urged to the day of his death the vast importance of this function of "the temperate zone of American republican continental union." Not only on the question of slavery, but on the tariff and other subjects, he held this highly statesmanlike view, and repeatedly tried so to mould public opinion in the Middle States as to compose the contest between "the slave-holding Southwest and the slave-hating Northeast." The bitter and jealous nature of Mr. Adams led him to hate Mr. Ingersoll for this effort to quiet and compose a contest which Mr. Adams was among the most active in fomenting, and desperate disputes frequently arose between them. These evidently left their sting with Mr. Adams, and many pages of his diary are disfigured by the secret outpouring of his venom upon Mr. Ingersoll. This was, however, one of the ways in which that diarist exercised his talents upon probably every contemporary of the least prominence who differed with him. Mr. Ingersoll's attacks were all open to the world, and upon the death of Mr. Adams he introduced a bill at an early day, and evidently of his own motion, to give to Mrs. Adams the franking privilege, which had been conferred upon Mrs. Madison. The privilege is not so valuable, but coming, as it did, from a very strong opponent, was a distinguished mark of respect to Mr. Adams's long services, and

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was appreciated as such by Mrs. Adams, who wrote to acknowledge "with grateful sensibility the inestimable privilege bestowed by Congress procured for her through the kind exertions of Mr. C. J. Ingersoll."

In the Twenty-Seventh Congress, Mr. Ingersoll introduced a bill from the Judiciary Committee to abolish public executions, and was active in securing the passage of a bill to rearrange the judicial circuits, much to the relief of the judges. He also introduced into the next Congress a bill on the subject of copyright, and had it referred to a special committee, but it seems never to have been reported on.

CHAPTER VIII.

Texas—Settlement from United States—In Fact independent of Mexico as early as 1823—Anxiety to be admitted into the Union—Mr. Ingersoll's Connection with Annexation as Chairman of Foreign Affairs—Extracts from his Diary—Oregon—His Committee again against him—Opinion of Polk and Buchanan—Disputes with England, and Mr. Webster's Course—Case of the *Caroline*—Mr. Ingersoll's Criticism of Webster's Course in—Mr. Webster's Scandalous Reply in the Senate—Mr. Ingersoll's Charges of Dishonesty against Mr. Webster—Proceedings in the House—The Committee controlled in Mr. Webster's Interest—Minority Report—Public Dinner tendered Mr. Ingersoll—Re-elected to Congress by an Increased Plurality—Nominated for the French Mission—Defeated in the Senate—Retirement from Public Life.

It is not to be doubted that the Mexican War was a war of aggression and was waged in the interest of the southern section of the Union. The South wanted a region to settle with Southerners owning slaves, in order to give a counterweight to the rapidly growing power of the North, and the annexation of Texas and the Mexican War were the consequences. Therefore, much of the adverse criticism of these events is justified; but there is

much palliation, if we compare the case with that of other powerful peoples bordering on weaker ones. In almost all history the result of such instances has been the same in the end, but our case exhibits a self-retention on the part of the powerful country which has rarely been equalled.

At the time of the annexation, early in 1845, not only was Texas⁵⁷ independent and so recognized by all the great countries, but she had been independent for at least nine years. Indeed, as early as 1830 the Mexican authorities were unable to enforce their laws there, and von Holst writes that from 1823 she had become a colony of the United States slaveholding interest. The settlement was, however, in part from the North, and had begun in 1819. But the fact to be emphasized is that she was settled and controlled by a people closely related to us in every way, and had since 1836 been imploring admission into the Union.

Mexico, it is quite true, denied her independence, and even asserted that she would look upon annexation by us as an act of war, but she certainly had no right to assume this position, and her claim of sovereignty was based on the merest paper title. Of the extreme value of the territory concerned to the United States two opinions cannot be entertained, and from the time of Mr. Monroe many efforts had been made on our behalf to obtain the Rio Grande as a boundary. Texas claimed to ex-

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tend to that river, while Mexico maintained that the territory between the Rio Grande and the Nueces belonged still to her as the mother-country; the truth seems to be that neither power exercised any real control over this sparsely settled, infertile region, which became the scene and ostensible cause of the outbreak of hostilities. Mr. Polk, having agreed with the Texans to defend them in case of annexation, at once assumed the validity of the Texan claim and ordered General Taylor to advance to the Rio Grande, and a clash of arms soon occurred; but it has been very recently shown⁵⁸ that Polk was ready and anxious for war, even before the armed collision, upon the return of Slidell from his unsuccessful effort to treat with the Mexicans: Polk was doubtless anxious to distinguish his administration by the incorporation of Texas and still other territory into the Union.

As chairman of the Committee on Foreign Affairs, from 1843 to 1847, Mr. Ingersoll had of course a large share in all the events of the day concerning Texas, and he was an ardent annexationist. He believed that the territory to the Rio Grande had fairly been included in our Louisiana purchase, and he constantly spoke of "reannexation." This phrase of the day has been denounced as a "lying catch-word," but it had certainly some foundation, and, indeed, far more than most na-

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tional claims to vast unexplored and unsettled regions.

Mr. Ingersoll was, moreover, evidently convinced that England and France were intriguing in various ways to prevent our annexation of Texas, and especially by securing from Mexico a recognition of her independence under a guarantee that she should not unite with any other country. An incomplete sketch by him of the acquisition of Texas quotes answers of ministers in Parliament to questions put to them and conversations of English cabinet officers with the Texan minister, which seem to leave no doubt that such an effort was making by the English. He says, too, that the English, French, and Russian ministers in Washington did what they could by conversation with members of Congress to caution the United States against aggrandizement. He himself was spoken to upon the subject by the French and Russian ministers, and doubtless would have been spoken to by Mr. Pakenham also, but that they had had a falling out. He also calls attention to the transfer to Washington of Mr. Pakenham from Mexico, where he had grown thoroughly conversant with Mexican and Texas affairs and feelings, and the sending to Mexico of Mr. Bankhead, who had formerly been the English chargé in Washington, and was thus conversant with American affairs.

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The notes of Mr. Ingersoll are too incomplete to reproduce, but these facts from them are important to show the influences under which he and the annexationists of the day acted. The English, moreover, had a most powerful lever to operate upon the Texans, for their proposal offered them peace with Mexico and the immediate cessation of a border warfare. This attempt at European interference in an entirely American affair was intensely repugnant to Mr. Ingersoll, and doubtless added to his already ardent desire to see the imperial territory of Texas incorporated into the Union.

It was one of the misfortunes of his position that his committee was against him, and he was never able to secure a report. The committee stood 4 to 5, Williams, of Massachusetts, and Stetson, of New York (who was appointed to fill the place of Beardsley, resigned), being the Democrats opposed to annexation, and all the Whigs being opposed. Mr. Ingersoll had prepared at much pains an elaborate report vindicating the American position, which narrowly escaped strangulation. Having been taunted in the House by Mr. Adams because the committee made no report on the numerous resolutions referred to it, Mr. Ingersoll introduced his intended report at a meeting of his committee, but an adjournment was carried. He writes that he was then warned by a better parliamentarian

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than himself of the imminent danger of his report being forever buried by a motion in the committee to table. Naturally anxious not to have all his labors upon the report thus put to naught, he called a special meeting, at which some members did not appear, and secured unanimous leave to withdraw the report. I presume his opponents did not appreciate their opportunity nor his intention; but he at once avoided all risk of future trouble by publishing the intended report as a letter over his own signature in the *Globe*, in which form ten thousand copies of it were sold.

During part of this period he made occasional memoranda⁵⁹ of public events, which I shall here quote at some length:

“*Dec 25. 43.* Mr. Adams having presented two petitions *against* the admission of Texas into the Union, and had them referred to the committee on foreign affairs, that, probably unwittingly on his part (I was mistaken: he understood the committee better than I did), gives me charge of this subject. Gov. Gilmer, on that committee, is all agog for taking in Texas, which Major Lewis hints to me is because Gilmer is interested in land speculations in Texas. Yet Gilmer bears the character, and I consider him, an uncommonly independent, honest man. But it amazes me to find how common and open the interest of members of Congress is paramount. Major Lewis has given me to-day a letter from Gen. Jackson dated the 18 September last and shown me another of the 15 December to Lewis, by which it appears that Jackson is strong for annexation,

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and I am struck with the cogency of his arguments and the wisdom of his views and methods. . . . Lewis promises me some papers now in Upshur's hands, and to get him to tell Gilmer not to move in the matter, as he is interested, but to leave it to me a northern and disinterested member. My mind has always been clear for keeping Texas, and while I shall do nothing precipitately, I mean to begin forthwith my preparations, and fortify myself for future action by report or otherwise with notes of arguments to be moulded into form on short notice. At present, the south is for it, the east against, the west I don't know how it stands, the middle states, their democrats at any rate, I think I can convince that it is a great national measure of vital importance at least to keep England from meddling there. The Whigs and their papers oppose annexation, because, I presume, of their hostility to Tyler's administration, and of their wish to keep the presidential contest clear of it. In the Tennessee Legislature Lewis tells me the Whigs with majorities in both houses have put it asleep : but it will be roused up, and they constrained to vote for it, he thinks.

"Saturday Dec 30. I dined yesterday, ex officio I suppose, as chairman of foreign affairs, with all the cabinet except the Secretary of the Treasury * who does not go into company since his son's execution, and all the foreign ministers at Washington except the English and Belgian,

* John C. Spencer, of New York : his son Philip, a midshipman in the navy, had been recently executed at sea upon a charge of mutiny on board the man-of-war Somers. Captain Alexander S. Mackenzie was the captain of the vessel, and his conduct in the matter has been very severely criticised.

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at the Secretary of State's ; * a very handsome and gentlemanlike entertainment quite creditable to our host, and probably still more to his wife, a lady I never saw before, but well looking, well behaved and well-addressing. Ministers of France, Brazil, Mexico, Austria, Sardinia, Holland and Texas ; a small diplomatic corps, only three of whom, the Russian and French, both with American, and the Mexican have wives. I have heard it hinted that since Gen. Jackson attempted to force Mrs. — on society here, few foreign ministers bring wives. Van Zandt the Texan minister, who sat next to me, is a pleasing and intelligent young man, who says his country is much misunderstood, much less uncivilized, he meant, than is generally supposed. . . .

“ *Tuesday Feb 6.* In pursuance of Senator Walker's note received to-day requesting me to call on him this evening, as he is disabled by a hurt and cannot go out, but desires to make an important communication to me, I went, not doubting that annexation of Texas was the subject. I found Wise in Walker's chamber. We talked the matter over. Walker read a secret letter to him dated last November from our chargé d'affaires in Texas, the amount of which is that if the U. S. do not forthwith take possession of Texas, England will. Also a late letter from General Jackson to Walker in which Jackson promises to write to Houston. Walker also read a letter from some one, whose name he did not give, dated lately at Jackson the capital of Mississippi to the effect that either Van Buren or Clay will get the votes for president of several States, as the one or other declares for Texas. Upon the whole it was rather a poor conclave as to any effect. I promised

* Abel P. Upshur, of Virginia.

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to confer to-morrow with Gilmer, and see if I can get a report from the committee of foreign affairs favorable to the annexation which I doubt my being able to do.

“Wednesday 7 February. Affairs look ill for annexation of Texas. The Committee of foreign affairs is against it. It will not be in my power to get a report from them. Gilmer, with whom I conferred confidentially is all agog for it. But I do not see any probability of it at present.

“Sunday 18 February 1844. Major Lewis, said to be the greatest intriguer in Washington, an intimate friend of General Jackson, has paid me a long visit to-day, where I am confined at home by a cold. Lewis gave me a full view of the Texas affair, viz, Upshur, the Secretary of State, desires no action by Congress in it, till his messenger returns, who is expected soon. Jackson has written to Houston. Houston has changed his mind. He is now for annexation. That I doubt, if England tries to buy a man so predisposed and intemperate. Lewis, who is friendly to Tyler, says he is unsteady and liable to impulses. He advised him, when he quarrelled with the Whigs, to take democrats, particularly Cass, into his administration, as patronage may help, but cannot do all, Lewis thinks. Tyler is passionate, governable, vain and fickle, though not wanting in good qualities. . . .

“Friday 15 March. In conversation a few days ago with Walker about Texas, I told him that if agreeable to the president I would speak with him on the subject. A note yesterday from Walker informed me that at ten o'clock to-day Tyler would be glad to see me about it. I went and we had our talk, confidential as he requested and I promised. Murphy, our chargé d'affaires there, has exceeded his instructions, Tyler says, and promised that our troops shall be stationed so as to ward off Mexican

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hostilities pending negotiations, which, Tyler says, having no authority to engage for, he has disavowed, and it may break off the negotiation, as Jones the Texan Secretary of State is a New Yorker, without feeling for annexation. If however it does not break off, Tyler expects in a few days another agent or minister from Texas with a treaty. His name is Henderson. Van Zandt is the one now here. The treaty will annex Texas with her public land given to the U. S., who are to take her and assume her debt of about ten millions of dollars. The English minister to Texas Elliott has stationed himself at New Orleans, to communicate freely with Pakenham the British minister here and the abolitionists. Tyler thinks that I should not move in the committee of foreign affairs till he advises me that he has sent in a treaty to the Senate, where he says at least 37 will vote for it, and pending its consideration there a report from my committee will be very important. Texas will come into our Union, or put herself under England, so he says. Houston, the president there, to whom Jackson has written, is for joining us. This, I think, was about the amount of what Tyler said. I cautioned him as to the great importance of treating Mexico with every possible forbearance and respect, so as to appear well before other nations in this affair ; but not to know England in it at all, treat it as altogether an American affair, and if England interfered at all, repel her at once with decision. He perfectly agreed in both points. I said it might provoke or justify England to take Cuba. He said then he would strike her at once without even waiting for Congress. There was a part of our talk, I forget how brought in, but I think by him, of a party complexion. He said that Texas would infallibly elect a democratic president and crush Clay, and that he Tyler is the person to bring it about, because he is

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president without a party. I said something of its causing a new organization of parties, which he desired, professing to be himself out of view as a presidential candidate. Dr. Martin * tells me and I believe from what I heard his son Robert say that Tyler is intensely eager and sanguine to be the democratic candidate for president, and considers Texas his stepping-stone.

“Saturday April 6. Apprehension that France will join England in at least protesting against our taking Texas is the alleged reason, I believe, why Tyler now hastens to fill the French mission, by appointing Mr. R. King, who seems to be averse to go, after so long and so improperly leaving that place vacant. Part of the motive may be by offices to bring support for his nomination to the presidency on which he is now said to be bent. Silas Wright in the North offered the vacant judgeship; King in the South the vacant French mission, and James K. Polk in the West to be offered the Russian mission in place of Colonel Todd now there by president Harrison’s appointment; all three prominent supporters of Van Buren for the presidency, to be thus taken to Tyler. Connected with that devouring element of party and personal politics I may mention, although not exactly a Texas story, in order to show the extreme suspicions which the East and the South sometimes reciprocate of each other, what Silas Wright told me, in, as he called it egregious confidence, on Saturday the 4. February, at dinner at Hulseman the Austrian minister’s. An effort had been making, Mr. Wright said, for a fortnight, to his knowledge for a week, by Upshur to prevail on the slaveholding members to

* I presume that this refers to the Dr. Martin who was for some years Chief Clerk in the State Department.

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withdraw from Congress under alleged desertion of their cause by the northern democratic and other members, by which secession Tyler was to become the southern candidate for the presidency. I disbelieve any such scheme. But as Calhoun has withdrawn Tyler may flatter himself that he must be the candidate, and some think that Upshur would be likely to promote such a secession and such a nomination.

“Wednesday 24. April (after mentioning another matter) I also conferred with Tyler about Texas, and about the Austrian, Belgian, Dutch and English missions wanting appropriations for outfits should changes in them take place. He sent a note on the subject by me to Calhoun, with whom I conferred on the 3 subjects and Texas.

“Monday 6. May '44. Since my last entry my occupation with the Texas question has been such that I have had no time to note any occurrences in this book. My report was suppressed in the committee of foreign affairs by the votes of the 2 northern democrats Williams of Massachusetts and Stetson of New York (Mr. Samuel Beardsley who began the session as a member of that committee withdrawing Mr. Lemuel Stetson was appointed in his place) with the 3 Western Whigs. Between Clay's adherents and Van Buren's my report for annexation was voted down and I had no alternative but to withdraw and publish it on my own responsibility, as I did in the *Globe* of the first of May and with happy results, for it appeared in the nick of time, and eight thousand copies by private subscription have been ordered at the *Globe* office, besides two thousand at the office of the *Spectator's*. My intercourse personal and official with Calhoun as Secretary of State has been intimate, and with Tyler quite kind—much more so than it was. It was yesterday settled between

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Calhoun and me, jumping in judgment, that if the Senate reject the treaty of Texas, I am to move it embodied in a bill in the house, on which subject I am to confer with Tyler to-morrow morning. Calhoun has committed a great blunder by vindicating slavery in a letter to Pakenham, and Van Buren a greater by publishing a letter against immediate annexation, when nearly all his adherents are committed, with most of the democratic presses for it. Calhoun, with superior talents, is extremely sectional and southern. I cannot guess how Van Buren made such a blunder. I think they are both demolished—felo de se.

“*Tuesday 7. May, 4 P.M.* I had my interview with Tyler this morning. We talked the Texas business over, and he agreed to my suggestions. But not having heard of them before from Calhoun, said he'd think of them and let me know in a day or two. He talks big always, and I believe is almost beside himself with wish to run for the presidency, though nothing on that subject passed between us. Afterwards I called on Calhoun and informed him of my interview with Tyler. Calhoun told me that he will abide by Texas, and not be a candidate for the presidency.

“*Saturday May 18.* This morning in tête-à-tête with Calhoun he assured me that he has long relinquished all idea of the presidency for himself, and came to the department of state merely to accomplish great national objects, Texas and Oregon, with none but patriotic motives, which alone he says, have governed his public life. I told him that I have long considered the presidency vulgar ambition, that a statesman's reputation may go to history on much better reliance. He says he had retired, and means to write on government, that he had differed with Jackson

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because he required flattery as Tyler does, and that he, Calhoun, never flattered any one. He means to have nothing to do with Tyler's appointments. Calhoun thinks that abuse of the appointing power is ruining this country, and will infallibly do it, if continued as practised by Van Buren, unless checked by some great chief magistrate ; that no one has yet shown what a noble government ours is, if administered as it may and should be. In this way he talked well, but ended as usual if not invariably by arguing the absolute necessity of slavery to balance democracy, which, if unabated, will always oppress the poor, the ignorant and low.

"Sunday 19 May. Yesterday I dined with Calhoun at what he called a Texas dinner, and therefore make a minute of the company. They were Senators Woodbury, Walker, Sevier, Fulton, with Dixon H. Lewis, Pinckney, Henderson, one of the Texas envoys, without the others, Isaac Van Zandt, two young men whose names I forget who I believe are Texans, and Calhoun's son. Texas was the only topic. All were in high hopes of annexation, and having no body to contradict, we carried all before us. How much littleness there is with all greatness ! Men the most eminent have their great infirmities, which is remarkably the case with Calhoun.

"Monday June 3. Mr. Dale Owen, one of the Indiana delegation in Congress and I went together yesterday from Sullivan's where we dined, and spent an hour with Van Zandt the Texas chargé d'affaires, apparently a sensible, prudent, rather young man, evidently anxious for annexation. He told us of the plan in present agitation, which Calhoun whom I spent an hour alone with immediately leaving Van Zandt confirmed to me : for Tyler, whenever the Senate either reject the Texas treaty or lay it on the

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table, to send a full open message to the house to serve as an appeal to the people on that subject, when Congress adjourn. Then some fit person will be sent there as our representative: Murphy our present chargé d'affaires seems not to be; and as the treaty is in force for 6 months, that is till the 12 October, till when it is ours to ratify if the Senate will, the people are to be appealed to every where to condemn Clay, Benton and Van Buren's opposition to *immediate* annexation. The then remaining and resulting and all important question is whether Tyler shall convoke Congress in special session early in September, supposing that the minority in which Texas is in both houses may become then a majority by means of popular will on that subject. This plan is all clean and good but for Tyler's desire to be elected president, for which he is fomented by crowds of vulgar fellows, deluding him to get places. But for this the proposed plan is excellent to carry Texas and defeat Clay by the same blow. But whether Tyler will relinquish his utterly desperate chance of nomination I doubt. If he does not the fearful responsibility of losing Texas will rest on Tyler, not Clay."

No more of this diary is preserved, and shortly after the latest entry Congress adjourned. From other sources it is apparent that Mr. Ingersoll considered the ensuing elections a direct expression of the popular will in favor of the annexation of Texas. His diary has shown that the annexationists had planned to make an appeal to the people from the adverse Congress. In pursuance of this plan, not only did he make his canvass as a thorough-going advocate of immediate annexation, but

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he reminds us that Polk did the same thing, and notes how, at the next session of Congress, the first vote on the subject showed that the elections had changed many votes and had shifted the ascendancy in Congress.

Early in December he introduced from the Committee on Foreign Affairs a joint resolution for annexation, and on January 3, 1845, in pursuance of a vote in a Democratic caucus the night before, he moved to go into committee of the whole to take up the resolution. This was agreed to by 107 to 63. He opened the debate in a temperate speech, advocating the measure as one of prime national importance, and followed it in its course through the House with care. On January 25, by a vote of 120 to 98, similar resolutions, moved as an amendment by Mr. Milton Brown, were passed and sent to the Senate. Here they met with bitter opposition, and Mr. Ingersoll writes that Mr. Barrow, of Louisiana, threatened at one time that his side "would prevent the passage of the resolutions by speaking till the 4th of March." It was only on the last day of February that the resolutions as amended were returned to the House, and the *Globe* newspaper and many persons doubted the possibility of securing the concurrence of the House in the rush and confusion of the last four days of Congress. It was a moment of intense ex-

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citement, but the "friends of Texas" triumphed in the end. Of these last scenes Mr. Ingersoll writes,—

"I succeeded, after some disappointments, in at last gaining the floor to move that the Senate amendment should be committed to the committee of the whole on the state of the Union, and contrary to my almost invariable practice and avowed prepossessions moreover moved the previous question."

The Senate amendment was concurred in by a vote of 132 to 76.

Mr. Ingersoll was one of those who did not expect war as a consequence of annexation, and he seems to have always thought that it would not have arisen but for the disturbing influence of the European powers. When it did come, and even earlier, upon the report of bodies of Mexican troops nearing Matamoras, he advised⁶⁰ President Polk to order General Taylor to cross the Rio Grande and "crush the invaders on their own soil," and he favored all measures for the earnest prosecution of the war. He, of course, opposed strongly the Wilmot proviso.

Oregon, also, fell within the special domain of Mr. Ingersoll's committee, but that body was again against him upon this subject, and in the Twenty-Eighth Congress he had to report a resolution that it was then inexpedient to give notice of termina-

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tion of the joint occupation. He, however, of course spoke in favor of the notice, and asserted most strongly the superiority of the American title to that "Titan region of prodigious growth."

In the next Congress the committee was again against him, but by some chance⁶¹ a resolution in favor of notice was gotten through it and reported, and finally passed both Houses of Congress in a modified form. During the debate Mr. Ingersoll reproached⁶² the Southern members with their opposition, and expressed his regret to see a powerful Southern combination against the first proposition to add territory to the Northern States, when already in our history three territorial acquisitions had been made, all adding immensely to the power and influence of the Southern States. His intense Americanism made him an ardent supporter of his country's rights, and he is probably to be classed as a 54° 40' man. The point, however, which he most particularly emphasized in the debates was the almost entire absence of any basis for the English claim. That the claims neither of this country nor of England were "clear and indisputable" is as certain as anything can be, but our claim seems to have been vastly the better one and quite as strong as such claims often are. Mr. Adams, with his long and intimate knowledge of the events concerned, supported our action in the main, and particularly the notice of termination. And Mr.

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Winthrop, who opposed the notice and stated at one time that he thought neither party had any really valid title, stated⁶³ also that he thought that "the American title to Oregon is the best now in existence." Is it to be wondered that, with a leading opponent making so pregnant an admission, others should take the view that this best title should be insisted upon?

With the later steps in the Oregon dispute it is not likely that Mr. Ingersoll had any connection, and, indeed, in the earlier debates on Oregon, as well as on other occasions, he had expressed the opinion that the treaty-making power is not competent to yield up any part of the territory of the United States. He complains, moreover, in an unfinished writing that Mr. Polk and Mr. Buchanan allowed him very little knowledge of foreign negotiations, far less than he had had under the preceding administration.

"My constant official intercourse with him [Calhoun]," he writes, "was so free that I found him as Secretary of State, with a president with whom I had neither personal nor party intimacy, both more familiar, imparting and satisfactory than their successors, president Polk and his Secretary of State Mr. Buchanan, both of my party and my friends, but shy, secret if not timid, and reserved. As head of the committee supposed to be in daily confidential communication with them concerning foreign affairs, and fortified confidentially with Executive plans, measures, motives,

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and expectations, I was debited in Congress with much more than they ever let me, or even perhaps let each other, know and expected and constrained by my Executive superiors to maintain, perform and explain what I knew no more of than almost every body else."

Mr. Ingersoll held no very high opinion of Mr. Polk in general, and in another place has written of him as follows :

"He had served with ability as chairman of the committee of ways and means, in the house of Representatives, and as speaker of that body in difficult times ; and he was elected Governor of the State of Tennessee, overcoming a majority there generally prevalent against his party. But his indefatigable industry and superior talent for what is called stump speaking carried him through an arduous contest with unexpected success. As I believe he was the first, so I hope he may be the last, president excelling in that derogatory talent for soliciting the multitude. In a country where common elocution is so cheap as to be nearly universal, that condescension to the meanest degree of oratory, may be tolerated in aspirants for less eminent places, but is apt, as in Mr. Polk's instance, to disqualify for more dignified position. With no superior for that impromptu, often captivating but mostly vapid declamation, the practice as I thought, contributed, with other defects, to deprive him of all elevation of thought and action. His delight was to tell of stump contests and exploits, to prefer the intimacy of those who preferred them to that of superior men in education, intelligence and deportment, to joke and laugh with political opponents in low bred relations of such adventures. While Texas and its resulting Mexican

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warfare associated president Polk's name and administration with some of the brightest and most impressive occurrences of his country, he was far below their lofty level. His family was respectable, his education only tolerable. Except politics he had very little information, no turn for literature, science, polite refinement or social elegance. And above all it is a common mistake to consider him resolute ; he was not firm either personally or for measures. But having witnessed the wonders Jackson achieved by that natural endowment, president Polk affected it, inducing many to believe it his nature too. Still clearheaded, laborious, well disposed, and instinctively patriotic, his chief recreation was incessant study of constitutional problems and merely current political questions—for the great science of politics he had no inclination."

Mr. Ingersoll was of the opinion, which was entertained by a large number of eminent public men, that all our disputes of this date with England were managed with too little insistence on American rights; and he always held that Mr. Webster in particular was far too willing to yield under the dogged persistence and very liberal claims of the English. That great man has left such a mark on American affairs, and is so deservedly held very high in American esteem, that the mere weight of his name almost carries conviction, but contemporaries, of course, looked upon him differently. Mr. Ingersoll, for instance, had first met him as the bitter opponent of the war of 1812 and as a threatener of secession; and he, of

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course, could not forget this, when Mr. Webster later came to be *par excellence* the upholder of every Federal power. He held that in the case of the Caroline and in the Ashburton treaty Mr. Webster yielded far more than the English were entitled to, and that in the conduct of the Caroline dispute his easy compliance tended far more to produce war than to avert it. It will be necessary to review the facts of that case to some extent.

In December, 1837, at the time of the suppression of the Canadian rebellion, a band of the Canadians took refuge on Navy Island in the Niagara River, near the Canadian shore. Here they were aided and provisions at least furnished them from our side of the river. In these operations a small steamer, the Caroline, was used, which was partly manned by Americans, and this the English determined to destroy. They expected to find her at Navy Island, but did actually find her moored at Schlosser on our side. The officer in charge, however, none the less at once attacked and destroyed the vessel. In the conflict an American named Durfee was killed, and the Caroline was then sent a mass of flames over the falls of Niagara. Public feeling in our country went at once to fever heat, and Mr. Forsyth called on the British minister, Mr. Fox, for redress. But, though the British did in a loose way justify the act, they did not avow it; on the contrary,

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the American minister became weary in trying to get them to do so. As late as three years afterwards, near the end of 1840, Mr. Forsyth once more wrote Mr. Fox calling his attention to the fact that the British government had not communicated its decision.

But about this time the affair assumed a very different face, owing to the arrest by the authorities of New York, under an indictment for murder, of a Canadian named Alexander McLeod, who had loudly boasted of having been concerned in killing one of the "damned Yankees," and who then foolishly came over to our side. In a few days Mr. Forsyth received a letter from Mr. Fox, calling for McLeod's release, on the ground that the attack on the *Caroline* was "a public act of persons in her Majesty's service," and that he was not therefore amenable to trial. Mr. Forsyth reminded Mr. Fox that the United States had no authority to release a man held by one of the States to answer for a violation of State law, and expressly declined to admit the principle of international law asserted; on the contrary, he said, the legal prosecution of McLeod and the application to his government for satisfaction could both go on at once.

Here the matter ended, so far as Mr. Forsyth was concerned; but General Harrison had been in office but a week, when the new Secretary of State,

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Mr. Webster, received from Mr. Fox a most imperious demand for McLeod's release, coupled with a threat of the serious consequences of a refusal. Here is where the opposition contended that Mr. Webster made his first error, for he did not resent at all this insolent language and the threat of the British demand, and did at once concede to the full extent the rightfulness of their claim.

In so doing there is at least grave doubt⁶⁴ whether he was right in principle, and he certainly did go directly counter to the views maintained by his predecessor. But he did more, and exerted himself strenuously to comply with the British demand, even to the extent of causing a serious conflict with the State of New York. The United States Attorney-General was sent to supervise the matter in New York, and the lawyer already appointed by Governor Seward to defend McLeod was appointed United States District Attorney in the district where the trial was to be held, so that the highest law officers of New York were on one side of the case, and on the other was the gentleman who was United States District Attorney, while the United States Attorney-General was to take part on the same side in case of need. Seward complained bitterly of all this, and Mr. Adams said⁶⁵ some years afterwards that he had been infinitely more apprehensive of the conflict between

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the United States and New York than of that with England. Happily, as is well known, the trial ended in McLeod's acquittal; but there was for a time greater danger of war between England and the United States than at any time since 1815.

Of course, Mr. Webster's conduct was very much criticised, and it is necessary to go into the matter closely, because it became later the cause of Mr. Ingersoll's conflict with him. Mr. Ingersoll always thought that in the treaty of Washington there was far too much readiness to comply with the English demands, and that the easy-going conduct of our administration in the Caroline dispute contributed to the difficulties of the Ashburton negotiation. Upon the case of the Caroline he spoke at some length in 1841 in strong condemnation of Mr. Webster's course, and reviewed the matter⁶⁶ again in 1846, when speaking upon the subject of the Oregon notice. Upon this occasion he said:

“What he intended to state now consisted of facts not yet generally known, but which would soon be made known, for they were in progress of publication, and he had received them, in no confidence, from the best authority. When McLeod was arrested, General Harrison had just died, and Mr. Tyler was not yet at home as his successor. Mr. Webster—who was *de facto* the Administration—Mr. Webster wrote to the Governor of New York, with his own hand, a letter, and sent it by express, marked

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'private,' in which the Governor was told that he must release McLeod, or see the magnificent commercial emporium laid in ashes. The brilliant description given by the gentleman from Virginia of the prospective destruction of that city in the case of war was, in a measure, anticipated on this occasion. McLeod must be released, said the Secretary of State, or New York must be laid in ashes. The Governor asked when this would be done? The reply was *forthwith*. Do you not see coming on the waves of the sea the Paixhan guns? and if McLeod be not released, New York will be destroyed. But, said the Governor, the power of pardon is vested in me, and even if he be convicted, he may be pardoned. Oh no, said the Secretary, if you even try him you will bring destruction upon yourselves. The Governor was not entirely driven from his course by this representation. The next step taken by the Administration was to appoint a district attorney who was to be charged with the defence of Alexander McLeod—the gentleman who was lately removed from office—and a fee of five thousand dollars was put into his hands for this purpose. . . . Though Lord Ashburton came here with full power to adjust the Oregon question, yet it was adjourned. It was a gross absurdity thus to separate the northeastern from the northwestern boundary question. They should have been kept indivisible. The giving up of one would render more difficult the settlement of the other. He would call upon those gentlemen here who were acquainted with the facts, to say whether he was right or not in regard to what he would now state. Mr. Webster sent a note to the Committee on Foreign Affairs, asking an outfit and salary for a special minister to England, to settle the Oregon question. The committee rejected the application. These were facts which no one would dispute, and he did

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not state them from any hostility to that gentleman, whose abilities he had always greatly admired, but with whom he had never agreed politically from the time when he first met him in public life thirty-three years ago."

A debate upon this subject having arisen in the Senate, Mr. Dickinson, of New York, referred to this speech of Mr. Ingersoll; and Mr. Webster, in his reply in defence of the treaty of Washington, indulged in such a coarse tirade upon Mr. Ingersoll as has rarely been heard in an elevated body. If Mr. Ingersoll's speech was highly colored and even exaggerated, Mr. Webster's reply was grossly coarse and in some particulars * extremely uncandid, to say the least. He denied having written a certain letter of importance in the coarsest language and charging intentional

* Mr. Webster even went so far as to deny that the administration had attempted to interfere with the trial of McLeod; but if the answer of Mr. Dickinson should fail to convince any one upon this point, he need only turn to the pages of the lives of Seward and Crittenden: Coleman's Crittenden, i. 149-155; Seward's Seward, 538:552. I think Crittenden's letters show that he by no means approved of the administration's position, and Seward's letters to Crittenden certainly show that Seward thought he had a friend in Crittenden as against the administration. See also the letters of Webster sent to the House upon its call, printed in Executive Documents, First Session, Twenty-Ninth Congress, Vol. vi., Doc. No. 187.

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falsehood, while it was clearly proved later that, whether he had written a letter or not, he had at least asked verbally what he was charged with having asked in writing; and it is plain that the substratum of Mr. Ingersoll's charge was true, and that Mr. Webster, in the management of the Caroline case, was full of panicky fears of immediate war, and tried his best to influence Seward to discharge McLeod by the representation of these dangers. If the events of the day did not themselves establish that fact beyond peradventure, evidence has since come to light which certainly does prove it. Mr. Benton well writes that the Caroline case was one "for an iron will, more than for a shining intellect; and iron will was not the strong side of Mr. Webster's character. His intellect was great; his will small. His pursuits were civil and intellectual; and he was not the man, with a goose-quill in his hands, to stand up against the British empire in arms."

Mr. Ingersoll did not, of course, let the matter end with Mr. Webster's attack, but proceeded at once to seek for evidence of a sort he could use to prove the truth of his own speech. His main authority was Governor Seward,* but his information

* In a private letter to Mr. Gilpin, dated April 8, 1846, Mr. Ingersoll writes, "My authorities are Governor Seward, for part, a record in my possession in the handwriting

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from him had probably come in the half-confidence of free conversation, and he evidently did not feel at liberty to use his name in any way, and was thus badly handicapped. While seeking for evidence he could use, he learned, evidently quite unexpectedly to himself, from papers in the State Department, that soon after Mr. Tyler's accession to the Presidency the contingent fund had (contrary to the precedents of many years' standing) been transferred to Mr. Webster's own custody; that in this way some seventeen thousand dollars in all had been in his hands, and large parts of it for a good many months at a time; he also found that when Mr. Webster left office there was an apparent balance of over two thousand dollars in his hands, for which there were no vouchers, and which was not accounted for for nearly two years, and then only when he was informed that the accounts required to be published; he found also a letter to Mr. Webster from one F. O. J. Smith from Portland, Maine, marked "private," which, after expressing the writer's gratification at the

of Mr. Adams for the rest, and my facts are certain, tho' I may have immaterially misstated what Gov. Seward told me." Until I saw this letter I supposed that Mr. Crittenden was his chief authority, and the later course of the controversy does point to him for authority on some points.

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new mode adopted of settling a long-standing dispute, went on as follows :

“Considering the matter settled, I presume you can feel justified in enabling me to fulfil certain assurances which I made to a few individuals at different points in this State, whose services and influence I had occasion to resort to, in order to adjust the tone and direction of the party presses and through them of public sentiment, to the purposes so desirable of accomplishment under your administration. For my own services you can also make such allowance from the contingent fund as you may deem proper, merely remarking that all that was contemplated in my original letters to you of May, 1841, on the subject, so far as Maine and the voice of the people are concerned, has been happily realized. To the individuals alluded to above, three in number, I gave an assurance that in the event of a settlement of the boundary, they should be allowed a reasonable remuneration for their time and incidental expenses—and I should like to be able to remit them \$100, or \$125 each, if in my power. Nevertheless, I assumed no authority to bind your department, in any official manner on the subject ; but the whole rests in my confidential intercourse with them, and I leave it, after stating the fact, wholly at your discretion. I presume the contingent fund will be ample, and your control in it ample, to do whatever you think just.

“I send herewith a bill for a voucher, with entire consent for you to fill the blanks as you may deem proper.”

After discovering these matters, Mr. Ingersoll, without consultation with any one, as he later

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stated, rose in the House on April 9 and asked leave to make a personal explanation. He then read a statement charging Mr. Webster with personal use of the public funds, with corrupting the public presses, and with having left office a defaulter, and introduced resolutions calling on the President for an account of all payments from the contingent fund during the period concerned, and for any letters in regard to a special mission to Great Britain during the Twenty-Seventh Congress.

After an extended debate the resolutions were adopted by a vote of 136 to 28, but Mr. Polk declined to comply with the request as to the secret service expenditures, being of opinion that they should be kept strictly secret except in cases of impeachment. He added that there were no letters on the files in regard to the special mission, and transmitted those to persons in New York concerning the McLeod case. Mr. Ingersoll then, in answer to Mr. Webster's denial of having sent a note to the Committee on Foreign Affairs asking for a special minister to England to settle the Oregon dispute, produced by leave of the House the original minutes of that committee in the handwriting of Mr. Adams, in which was a distinct memorandum of a "communication from the Secretary of State to Mr. Cushing and Mr. Adams" asking for a

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special mission * to Great Britain, which had been refused.

Mr. Ingersoll next reviewed in a few words the evidence then known upon his allegation that Webster had in a panic tried to interfere with the authorities of New York to prevent the trial of McLeod, and certainly substantiated the essence of it. He also reiterated the charges of corruption, and there left the subject. He had been advised that it was now for Webster or his friends to move in the matter, but that gentleman did not see fit to ask for an investigation, and merely asserted on April 22 that the imputations were purely wanton and slanderous. Mr. Ingersoll then proceeded on April 27 to detail the charges at length, but, owing to the later course of the matter, I do not see that there is any need to go into these details here. After an acrimonious discussion, in which Mr. Ingersoll was charged with nearly all the improprieties in the calendar, a committee was appointed to investigate his charges, and another to investigate how he had

* Curtis's Webster (II. 175-177) prints a letter from Webster to Everett, in which the writer also speaks of this intended mission, and of his expectation that it would be offered to him. Portions of the letter bearing on the subject are apparently omitted; and von Holst (History of the United States 1846-50, p. 48) says that the letter itself is not in Webster's Private Correspondence.

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obtained his information from the State Department. With this latter we need not trouble ourselves here.

The other committee met, took a good deal of testimony, and finally four of the five members united in a report entirely exonerating Mr. Webster, and at the same time explaining in smooth words how naturally Mr. Ingersoll had, under the circumstances known to him, come to think as he had. The single member (Mr. Brinkerhoff), in his minority report, took a very different view, by no means exonerated Mr. Webster, and gave some glimpses of the evidence on which the majority had based their report. That this was scant, and in some instances derived from sources worthy of little or no belief, is a very moderate way of expressing the matter.

In addition, it must be stated that the evidence was in reality *ex parte*, and that the committee had started out with the expectation of making just such a report as they did. Mr. Winthrop, as Mr. Webster's friend, was evidently in close confidence with the members from the beginning, and seems⁶⁷ to have kept Mr. Webster informed, and the latter expressed his readiness to testify in case of need, but preferred to remain away, "if the committee appear to be taking a just and proper course." This letter of his was dated but a few days after the committee's appointment, and expressed the

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opinion that the committee ought to make merely such a general report as it later did, though alleging an entire willingness on his part to have everything published.

It is not possible to-day to say much more upon this subject. Even such testimony as was taken is unattainable,* as it was bound up and sealed and marked "confidential" by order of the House; but the greatest admirers of Mr. Webster's career of distinction and of his splendid abilities must admit that he had not very high-toned scruples in money

* Mr. Curtis in his *Life of Webster* (II. 283) makes the error of alleging that the testimony was all printed in the end, upon the motion of the majority of the committee. Such was not the case. The original report (*Congressional Globe*, First Session, Twenty-Ninth Congress, p. 946) proposed to print no part of the testimony; but the minority report of Mr. Brinkerhoff having set forth at large the letter of F. O. J. Smith (*ibid.*, p. 947), the House subsequently (*ibid.*, 988) ordered the testimony relative to the charge of corrupting the press, which that letter bore on, to be printed. Efforts were even made by the majority of the committee to induce the House to prevent Mr. Brinkerhoff from incorporating the Smith letter in his report. And so entirely wrong is Mr. Curtis that the House later voted down (*ibid.*, 999-1000) a second effort of Mr. Brinkerhoff to print all the testimony. See also the report of the committee and the fragmentary testimony on the one charge as printed in *Reports of Committees*, First Session, Twenty-Ninth Congress, vol. iii. Rep. No. 684.

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matters. It was during this discussion that some members charged him with being the "pensioned agent of the manufacturers," and alleged that a large sum of money had been raised by them for him; and though the charge as to this fund was at first denied, it was soon admitted in its main features. There can be no doubt that a public man of high honor would have declined it; to say nothing of the frightful example, he could not possibly, after accepting it, deal with matters of interest to the givers with an eye only to the public interest. But Mr. Webster did even worse, and in at least one later instance accepted⁶⁸ a gift of ten thousand dollars from a citizen immediately after taking his ground on a subject of great public moment in his famous 7th of March speech. With these instances thus coming to light, can there be much doubt that the financial weaknesses of that great man were known, in that general way in which such things are known, to the circle of those intimately acquainted with the public men of the day?

Whatever any one else may think, Mr. Ingersoll of course believed to the end the absolute truth of the charges he had made, and that the committee had whitewashed Mr. Webster at his expense. I think it was well understood at the time that the report was due principally to Mr. Jefferson Davis, the second member on it; and naturally Mr. In-

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gersoll never entirely forgave him. While the controversy was at its height a large number of Mr. Ingersoll's friends at home tendered him a public dinner as a mark of approval of his conduct; but he was obliged to decline it, for reasons which will best appear from the correspondence upon the subject:

"PHILADELPHIA 30 April 1846.

"TO THE HON. CHARLES J. INGERSOLL:

"DEAR SIR,—A number of your fellow citizens having heard of your intention to remain a few days among them are desirous to express their respect for your patriotic services and confidence in your integrity as a public and private man. On their behalf we have to solicit your acceptance of a public dinner at such time as may be most suitable with your engagements.

"Without intending to anticipate or prejudge the future decision of the Councils of the Nation, yet late occurrences therein make this less an act of personal friendship or even political association than an expression of a firmly seated and deeply cherished conviction that a Representative performs few duties more imperative, as none is more certain sooner or later to receive unequivocal, and as we believe almost unanimous approbation, than when he fearlessly and with full sense of responsibility brings to light what he believes to be wrong in the conduct of public agents however exalted; and demands the open judgment of the people upon their actions while in office, not hesitating himself to await the ultimate result, and, in so doing, to submit his own character and conduct to the same ordeal.

"We are with great respect

"Your friends and fellow citizens."

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"GENTLEMEN,—There are occasions in public life when such testimonials as your letter of invitation must be desirable counteractions of the abuse incurred by bringing to light the misconduct of exalted public agents, and encouragement as important to unswerving firmness and constancy.

"I am inexpressibly thankful to you, gentlemen, for approval so respectably subscribed by those indicating, I trust, the support of the many more, whose good will is cherished as the best reward of any public service I attempt, and patent of whatever distinction I desire.

"But before I was honored with your invitation, my arrangements were made for leaving home to-day for the seat of government, where the subjects it refers to require my attendance, besides the general transactions of Congress.

"And may I not doubt also whether it will not be more becoming to decline the compliment you so generously proffer pending the ordeal which produced it.

"I hope that you will allow me to deny myself the gratification of accepting it, with assurances of the gratitude with which I shall ever remain, gentlemen, your much obliged and humble servant.

"(Signed) C. J. INGERSOLL.

"May 4, 1846.

"PHILADA."

In the autumn of 1846 there seems to have been an effort made by a few Democrats to defeat Mr. Ingersoll for renomination, but it was entirely unsuccessful, and he was not only renominated, but elected again by a larger plurality than he had had two years before. In the next spring, during

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the last days of the Twenty-Ninth Congress, he was nominated by Mr. Polk for the French mission, a post which he had asked for and had probably wanted for some time. He was, however, defeated in the Senate, upon the appeal of Mr. Webster, who urged that his confirmation would be a sort of endorsement of the charges against himself: this fact was told one of his sons many years later by an ex-Senator. Mr. Ingersoll served after this through the Thirtieth Congress, and then retired. He was at the time sixty-seven years of age, and probably felt that he had lived long enough on the boisterous seas of politics, and was moreover doubtless anxious to devote more time during his declining years to the historical work he had taken up. His successor in his district was a Democrat, Mr. John J. Robins.

CHAPTER IX.

His Practice at the Bar—Characteristics as a Lawyer—Judge Sharswood on—Some Instances—Qualities as an Orator—Instances of his Manner—His Denunciation of an Overbearing Judge—The John Sergeant Bar Meeting—Personal Appearance—Habits of Exercise and Diet—Dress—Eccentricity—His Residences—Fond of the Society of Women—Buoyant Spirits—Mrs. Maury—Religion—His Americanism—Belief in True Popular Government—Interest in Napoleonic History—Joseph Bonaparte—Earnest Advocate of Free Ships, Free Goods—Declining Years—Literary Work—"Second War"—"Recollections"—Other Works—"African Slavery in America"—Mr. Buchanan's Administration—Outbreak of Secession—His Views upon the Civil War—Death.

THAT Mr. Ingersoll had for many years a very extensive practice at the bar has been already seen. From his first case in the Supreme Court of Pennsylvania in 1806 until he went to Congress in 1841, hardly a volume of reports is to be found without numbers of cases of his, the only exception being from 1832 to 1835, when, for some reason I do not understand, there are none. His cases are also frequent in the reports of the United States Supreme Court from 1817 to 1829; and after that date, when he had ceased to be District

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Attorney, several important causes argued by him are to be found down to 1841.

The mere record of the number of cases won and lost is no criterion of a lawyer's ability; but I think I can see that in the latter years of his practice he was less often successful than formerly, from which the conclusion to be drawn probably is that he came in that time of strong party feeling to be called in more often in cases of a desperate nature. His political course presumably estranged from him the great leaders in the business world, while the less fortunate were drawn to him,—and their cases are not those which succeed. It is worthy of note that he made the leading argument for the unsuccessful side in the great case of *Bank of Augusta vs. Earle* against Mr. Webster, Mr. Sergeant, and Mr. D. B. Ogden. This was a very important case,—rather one of politics or public law than of mere private right between suitors,—and presented the question whether the Federal courts would enforce a contract made by a corporation (a bank) of one State in another State. Mr. Ingersoll's argument against the power of a corporation thus to inject itself into another State than that chartering it was certainly a very able one, and he evidently entered into the case with intense interest.

The prevailing view to-day probably is that the decision was both right and desirable, but such

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questions were then far more open to doubt in the public mind than now; and the thoughtful observer may well question, in view of the unrest now so prevalent and the so general feeling that organized capital has too much power, whether our country might not have been more sound at the core if some of the most important decisions had gone the other way. Mr. Ingersoll was evidently disappointed at losing this case, and wrote to Mr. Gilpin to that effect, but was told in reply that he should not be worried at his inability to defeat a corporation, when the whole country had to bear them, as Sindbad had his burden.

The general nature of his practice and his qualities as a lawyer have been summed up by Chief-Justice Sharswood, and I cannot do better than quote the language of so competent an authority. In an obituary notice read before the American Philosophical Society he said,—

“He entered upon the practice of his profession, and soon established a character at the bar which insured him large business, and what he prized more, extended reputation. His first case in the Supreme Court of the United States, was in 1810, *King vs. Delaware Insurance Company*, 6 Cranch, 71,—an important insurance cause; and thence down to the period of his retiring from the bar, scarcely a volume of the reports of the decisions of the highest Federal tribunal is without contributions from his learning and ability. Subjects of mercantile and prize law

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largely engaged his attention, and the case of *Evans vs. Eaton*, 3 Wheaton, 404, upon a very difficult and nice question, arising under the patent laws of Congress, would, if it stood alone, be a lasting monument to his learning, ingenuity and legal acumen. The reports of the Federal Courts of this Circuit, as well as of the Supreme Court of Pennsylvania, are replete with evidences of an extensive and important practice, sustained on his part by unwearied industry and patient research. It may be stated as a matter of curiosity, that the first case argued by him as counsel, which appears in the Reports of the Supreme Court of Pennsylvania, is *Fox vs. Wilcocks*, 1 Binn. 194, decided in 1806. Occasionally, too, his services were called for in the highest tribunals of our sister and neighbor States. But it was in the Federal Courts of this Circuit, under the presidency of those distinguished jurists Bushrod Washington, Henry Baldwin, Richard Peters, and Joseph Hopkinson, that his severest professional labors were undergone, and his richest rewards earned. . . .

“The pages of Report books, however, furnish but scanty and unsatisfactory evidence of the professional career of a lawyer. It often happens that his most remarkable efforts, his most eloquent appeals, as well as his most able and learned arguments live only in the memory of contemporaries, who have had the good fortune to be present on the occasion which called them forth. Those only who have witnessed Mr. Ingersoll in the trial of an important cause, extending, as often happened, through several days—his tact in so opening it as to produce a favorable impression on the jury—the admirable order and arrangement with which the testimony was brought forward—his skill in skirmishing with his antagonist on questions of evidence—and the earnest, faithful and ex-

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haustive summing up of the merits of his client's case—the humor, sarcasm, irony and invective with which he assailed the positions of his adversary, can have any adequate idea of Mr. Ingersoll's power as an advocate. The writer of this notice was present on an occasion when, at the conclusion of one of his most brilliant efforts, a crowded bar could not be restrained by the proprieties of the place from a momentary expression of admiration and applause."

As to the particular methods he adopted of catching the jury's attention and invoking their sympathies, I find one instance in which he asked the court for leave for his client (the prisoner) to be taken from the room, and then proceeded in an impressive way to inform the jury and prove to them that his client was unsound in mind upon certain subjects. In another case, while representing a Lieutenant Jones on trial for piracy, when something seems to have slipped from the prosecution as to holding him, in the event of an acquittal, for trial upon another indictment growing out of the same offence, Mr. Ingersoll opened his speech for the defence by saying that it was told that, upon the explosion of the infernal machine in Paris, after some of those arrested had been punished, the judges had asked what was to be done with the rest—should they be discharged? "No," replied the First Consul: "we shall want them to be punished for some other offence, though they have escaped this."

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A retired member of the bar told me that he was first associated with Mr. Ingersoll in a case of *Drew vs. Swift*, in 1835, in the United States courts. The case was a bitterly contested one, growing out of a criminal prosecution. Drew and others had been indicted for forgeries, by which they were alleged to have cheated some of the companies in this city; and on a preliminary hearing before the Mayor (Swift), a roll of money had been taken from Drew's person and identified as a part of the money obtained through the alleged forgeries.

Upon the trial, however, Drew was acquitted, and, under Mr. Ingersoll's advice, he then brought a suit against the Mayor for money had and received to his use,—for the money had not been returned to him. Mr. Ingersoll was originally alone for the plaintiff, while the defendant was represented by a long array of leading counsel, as the case was one which the corporations, which had instigated the original prosecution, had to defend. A first trial of about two weeks' duration had resulted in a disagreement, and at this trial Mr. Ingersoll had taken no notes whatsoever of the evidence. Upon the second trial (at which my informant was present), as the witnesses were examined, it repeatedly happened that counsel for the defence insisted that they were not testifying as they had at the former trial. Mr. Ingersoll would then come to the aid of the witness, saying in a caustic manner that the

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witness had testified thus and so: he would give the exact words from his memory and call upon the other side to look at their notes of testimony and see whether it was not so. In every instance they found his unaided memory correct, and so often did this happen that they grew afraid to enter into such controversies with him. Some one then asking him what he did to have the words so exact, he replied, "I do as the jury do,—trust to my memory."

Another informant tells me a story from this same case, which shows how he would try to escape a difficulty. A text-book edited by Sharswood and another young man had been quoted against him, and the question of law was probably pretty clear. When he came to answer on this point he said, "It seems to me the gentlemen on the other side cite a book that is conspicuous for its paucity of authority," and he then opened it and read the title-page, emphasizing the names of the editors (then young and unknown men), and flung the volume to one side, saying, in his most sarcastic tones, "Pupils become teachers." He had, indeed, in a high degree that valuable faculty in an advocate of preserving always an absolutely bold front. No matter what unexpected developments might arise during a trial, or how desperate his case might look for the time, nothing in his exterior would show that he was in the least degree dis-

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turbed. He would contest the unexpected with the utmost readiness, was most quick and ingenious in finding a way to explain or distinguish, and when a point was overwhelmingly against him would still fight without a sign of any kind to show that he was surprised or conscious that the battle was going against him. The mere intricacies of the law—doubtless meaning principally practice—are said in one sketch to have been distasteful to him, and he seems to have occasionally been tripped up for this reason; but the same sketch goes on that, when he found himself caught in some such unexpected mesh, it was astonishing to see the power with which he would struggle against it and use his broad grasp of general principles to break down the petty obstruction in his way.

All sources of information agree that he was an orator of unusual and even remarkable power. Some contemporary accounts of him have been preserved in "Sketches of the Bar," published in newspapers of the time, and I have found a few persons who heard him and have a vivid recollection of his qualities as an orator; and they all agree on this point. Jonathan Roberts wrote him that he thought he had listened to him with more delight than to any other man, and an elderly lawyer, who often heard him and can reproduce his voice and intonation to some extent, says that he was the most attractive speaker he ever listened

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to, and always drew and held an audience. A leading man at the bar to-day, who heard him argue cases a few times, describes his manner as being as sharp and incisive as a hatchet.

His voice was not very strong, and was rather high-pitched, but his enunciation was so distinct that he could always be heard with ease, even at the opening of a speech; while as he went on it grew high, clear, piercing, and a little shrill. It was very well under control, and he was able to vary it and thus avoid fatiguing his hearers, while he also always emphasized strongly the important words or parts of a sentence, so as to make his meaning perfectly clear. It is said that when he arose to address an audience he was always entirely free from nervousness, and he would glance coolly around and begin his remarks precisely as if he were conversing with his hearers. Gestures he used but sparingly, except under the influence of excitement, when he had some way of moving his head, and particularly of shaking his hand with his long index-finger extended at his opponent. One writer speaks of an odd shrug of the shoulder which he had, while all agree that his tones of voice, his gestures, language, and manner were in a remarkable degree his own, and quite different from those of any one else.

At times, when his subject warranted it, he is said to have been able to attain the highest grade

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of eloquence, and to appeal to his hearers in a way to awaken the most powerful sympathies. But he did not waste himself in efforts to attain this in any ordinary case. Sarcasm, irony, and invective were weapons he constantly used. He could maintain a vein of raillery throughout a speech, and would often overwhelm an opponent with ridicule and expose his case to contempt. But in denouncing an opponent—and this, of course, held good especially in the field of politics—he is said to have been withering :

“ Invective follows invective—sarcasm crowds after sarcasm—one biting Saxon epithet succeeds to another, until the climax becomes overpowering, and human language seems exhausted of its terms of indignation ; when perhaps after a moment or two of playful irony, which deceives us into thinking his vocabulary is emptied, he startles you by bursting forth in his old strain again, pouring another torrent of burning epithets upon his foes, scorching, scathing, and lacerating them without mercy or intermission.”

Several informants speak of his exquisite choice of words as a strong characteristic, and they always followed each other with great ease and entirely without hesitation, as if his sentences were fully formed in his mind before utterance. He was, however, rather fond at times of using some unusual word or possibly coining one for the occasion, when it seemed to emphasize the point he had in view.

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A quality which particularly marked him was that which my informants have called *unexpectedness*. It was impossible to know at what moment he would break out into something intensely interesting. Even when speaking upon some ordinary subject he might launch out suddenly and without a word of warning into a vein of interest; and this led those who knew him always to want to stay and hear him out. As an instance, a retired member of the bar told me that once in some very uninteresting trial in the United States courts, Mr. Ingersoll, apparently suddenly inspired by a bust of Judge Washington, had broken off into a most beautiful eulogium upon that jurist. I think, however, that ordinarily his excursions from the strict subject were likely to have a dash of something shocking to the more staid members of society. His opinions were by no means a stereotyped reproduction of those prevalent in his time, and he would not hesitate to express his views even to an auditory opposed to him. Possibly his outspokenness in this way prejudiced his cases at times. I have been told of an instance in which a jurymen showed plainly, by some remarks to a witness, that his mind was made up against Mr. Ingersoll's case; and the latter, when he came to speak, by no means dealt gently with him or endeavored by suasion to lead him over, as many lawyers would have done, but

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attacked him severely for having a bias and making up his mind too early. Political opponents objected at times that he was prolix and too diffuse.

He was very fond of enforcing his meaning by the use of some illustration or striking expression; and it was probably this habit, coupled with the very pronounced way in which he accented the important portions of a sentence, that led to his language burning itself into the memory, as my chief informant expressed it, when I wondered at his repeating entirely from memory parts of speeches delivered fifty or sixty years before. The same informant assured me that he rarely heard him without carrying away something. His illustrations were often historical. In his speech on the Loan Bill, in 1814, after referring to the frequent disasters of the Revolution and the endless bickerings against those then in authority, he went on,—

“Yes, Mr. Chairman, there are venerable men of the delegation here of which I am an unworthy member, who recollect these things; who have told me that in 1776 not a town, nor a village, nor a passenger on the road between Philadelphia and New York but was full of complaints against Washington himself, clamorous with despondency of the cause he was engaged in. Let us imitate the example of his constancy, not their despair.”

Speaking in the House of Representatives once upon Oregon, when affairs looked very warlike, he threw the members into great laughter by tell-

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ing them that he could only advise them, as Franklin had once advised the colonists, to "go home and get children as fast as possible." On another occasion, when replying in an Oregon debate to some members who had deprecated the dangers of our citizens crossing the Rocky Mountains, he expressed his strong dissent from this view, and said,—

"I would not curb or crib that spirit of restless enterprise, of roving ambition, of love of danger, of action, and of frequent quarrel, which are, perhaps, national characteristics. . . . Why not stop Columbus altogether? He knew a lady who said that she would never forgive that Genoese vagabond for leaving such charming séjours as Paris, Rome, and other seats of European refinement, to discover this vulgar land of mush and molasses, hoecake and hominy."

Nor did he hesitate, when the occasion called for it, to rebuke his own profession for its narrowness, reminding its members that Mr. Jefferson had spoken of "narrow-minded lawyers with lubberly law-books." Speaking upon the tariff once in intensely hot weather in mid-July, he is said to have begun his speech by saying, in his high and incisive voice, "Mr. Speaker, I have sixty shirts;" then, after a short pause, he went on to say how in this weather he had often to change them, and thus illustrated the advantages of cheapness, which he attributed to our tariff. On this occasion he

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further illustrated his view from his coat of French broadcloth and cravat of Italian silk, "which I wear as some counteraction of the overwhelming English influence of fashionable tailors and others." American manufactures, he went on, were on their preferment, and generally more substantial than foreign ones.

Mr. Ingersoll is said by some writers opposed to him to have been somewhat irascible in his public relations, and he was certainly of an impatient nature and restive under restraint. When he thought he was right he would blurt out what he had to say, often when others would judge his remarks wanting in tact, and any effort to restrain him or moderate his expressions was most likely to have the opposite effect, and to excite him by the contradiction to more outspoken language. Once, as he rose to speak in the House of Representatives, there was a great noise on the other side of the House, and members there began to call out "Louder," "Louder." For a time he took no notice of the calls, but soon, as they continued, he turned sharp around upon the quarter whence they came, and in a perfectly quiet way but with the greatest positiveness and incision said, "No, I won't: if members upon that side of the House will but keep reasonably quiet, they will hear every word I say." The effect was instantaneous, and the noise ceased at once.

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In another instance he had evidently had a collision with a well-known county judge, who was famed at one time for his arrogant and overbearing manners. This judge had entered a judgment against Mr. Ingersoll's client for want of a sufficient affidavit of defence, under a practice which required a preliminary affidavit by a defendant before trial, to show that there were disputed facts and a real defence. The affidavit was of course drawn by Mr. Ingersoll, and the judge had gone out of his way in the opinion to say that one of the points made was not "well considered." In the Supreme Court upon appeal, Mr. Ingersoll read this part of the opinion, and said in his sharp voice that with all due respect to the court he thought it *was* a well-considered point, and proceeded to make some remarks derogatory to the judge. Chief-Justice Gibson attempted to check him, saying that they could not allow a judge on the bench to be so spoken of, but the interruption had the opposite effect, and Mr. Ingersoll launched out into a torrent of invective. "When a judge on the bench," he said, "indulges in such criticism, he lowers himself from his high station to the same plane as the lawyer. Your Honors do not know this judge;" and then he went on to apply to him a succession of adjectives, each more severe than the other,— "rash, impetuous, and overbearing. Whenever a judge puts a sting into his decision, he becomes

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an insect I will tread upon." He continued in this strain for some time, criticising the judge most severely, to the great delight of the members of the bar who were present, many or all of whom had suffered from the same overbearing manners.

Several persons have told me of Mr. Ingersoll's connection with the proceedings at the bar meeting upon John Sergeant's death. His relations with Mr. Sergeant had been strained for a number of years, and it was probably for this reason that he had not been asked to speak. On this occasion, after Mr. Binney had made a highly appropriate speech and some of the lesser lights of the bar—all of course selected in advance by the managers—had indulged in the platitudes usual at these meetings, when the chairman asked whether any other gentleman desired to make any remarks, Mr. Ingersoll unexpectedly took the floor. He was probably a little rasped at not having been called upon to speak at a meeting upon the death of a man who had been, like himself, largely engaged in the field of public affairs; and he thought that the other speakers had made a serious blunder in omitting to refer to that portion of Mr. Sergeant's career and confining their remarks to his narrower sphere of the bar. I am told that his manner was intensely pugnacious upon this occasion: he had been sitting on the sill of a window several feet above the floor, and, although he was at the time

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a man of about seventy, he jumped down with the utmost alertness and air of what he would have called "oppugnation," and began,—

"Mr. Chairman, I am not in the programme, and I would have remained silent, but that I am of opinion that the gentlemen who have preceded me, have omitted to mention what I consider the most noteworthy feature in Mr. Sergeant's career, viz. :—the Panama Mission."

He then spoke for some time of the valuable service rendered to the country by Mr. Sergeant in this matter and in his public career generally. Some of those who were present as law-students or young lawyers at this rare opportunity for them to hear the voices of the great retired members of the bar have told me how struck they were with the contrast between his view of Mr. Sergeant as a public man and Mr. Binney's view of him as a lawyer; while another has emphasized the striking contrast between Mr. Ingersoll's impetuosity and lively manner and the generally dull decorum of the previous proceedings.

In person Mr. Ingersoll was rather slight, and was of medium height, rather below than above the average. His hair was always cut closely to his head, and was described by the well-known Mrs. Maury as of a lively brown color; to the end of his life it had hardly turned in the least degree gray. He was very erect and agile in his move-

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ments, and bore all the air of a man accustomed to command and to receive attention and respect. It has been mentioned that in his early years he looked much younger than he was, and this remained the case to old age, so that Judge Sharswood wrote that "in his eightieth year he might well have passed for a man of fifty, erect, agile, scarce a hair turned gray or tooth lost." The same authority says that he possessed "a most excellent constitution, which he had preserved by the strictest temperance in meat and drink and by regular exercise;" but I do not think he belonged to that small number who have almost a redundancy of health. Even in his youth he had a rather delicate stomach, and all his life he had to take care not to offend that member. I find a few occasions where he complains that he had been compelled to eat a "greasy dinner," and was suffering in consequence all the pangs of a "remorseful stomach:" except on such occasions of necessity he always avoided grease, and his grandchildren can remember the almost horror he would express at the "g-r-r-r-ease" which he saw them about to eat. He was always scrupulously careful of his diet.

Judge Agnew—one of the few still surviving who sat in the State Convention of 1837 with Mr. Ingersoll—says that he was at that time ordinarily clad in a dark frock-coat, light vest, and gray trousers; while Mrs. Maury speaks of him as "dressed in

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the old revolutionary costume of buff and blue ;” and one of my informants describes him at the John Sergeant bar meeting as dressed in a blue coat with brass buttons. This latter is the costume which impressed itself on the minds of grandchildren who recall him as a very kind and indulgent host, for whom, however, they felt at the same time a little wholesome awe. A writer in some “Sketches of the Bar,” published in the *Spirit of the Times* in 1841, speaks as follows of him :

“His eccentricity, especially in dress, is proverbial. Sometimes he is dressed ‘à la mode,’ sometimes his coat seems an heir-loom from his ancestry, and sometimes, while his vest is of exquisite fashion, his hat is too shabby to discard. No matter whether he is to appear in court, at the bar of a senate, or before a popular assembly, it is all the same. His political adversaries, taking advantage of this, charge that to sycophancy, which is unquestionably the result of eccentricity.”

It was indeed charged that he purposely put on shabby clothes and even sprinkled dust over his shoulders when he was going to make campaign speeches ; but the charge was absolutely absurd. If the above is not enough to prove this, let it be remembered that he had many pronounced eccentricities all his life, and that the eccentricities of dress continued when he was nearing eighty and had retired from public life. And further, upon the same subject, I will quote the following from Mrs.

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Maury, whose acquaintance with him was in the high social and official circles of Washington :

“ He has a peculiar taste in hats ; sometimes he wore an old shovel ; sometimes I have seen his head enveloped up to the eyes in a huge fur cap of villainous form and figure ; sometimes the crown is just touched by a straw broad brim of gigantic dimensions ; sometimes a dust colored chapeau, shaven and shapeless, like a Yankee stage driver, in the Prairies. In vain I remonstrated against each of these varieties ; in hats he was perfectly unmanageable and resisted most triumphantly ‘ *the dominion of the Foreign Petticoat.* ’ ”

During the sessions of Congress Mr. Ingersoll lived in rooms in Washington. Mrs. Ingersoll was not strong, and had a large family to look after at home, and he always went to Washington alone. He wrote in 1845 that he had been paying one hundred dollars a month, but had recently taken at fifty dollars a month “ a pretty fair parlour and small bedchamber adjoining at the Columbian Hotel, a sort of new eating-house lately built by a German named Eberbach.” It was this establishment to which Mrs. Maury referred when she wrote on one occasion to inquire whether he was again at “ that repository for bad mutton-chops.” He escaped in some degree the bad mutton-chops by frequently taking his dinner at other places, as with Mrs. Maury and others at Coleman’s Hotel, and he also dined with friends very often.

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His Philadelphia residence for many years was the house now numbered 506 Walnut Street, while his summers were largely spent at a country seat, which he called Foresthill, situated at and about what is now Ninth Street and Erie Avenue. He seems occasionally to have taken driving trips to York or Lancaster or Harrisburg, and once went largely by carriage as far as Utica and Lake Ontario. He was always fond of horseback riding, and I find that on one occasion when he was engaged in some trial at Trenton he stayed at Bordentown with Joseph Bonaparte and rode daily to and from Trenton. According to Mrs. Maury, he was an early riser, often getting up at four o'clock and working until breakfast, and then taking up the regular duties of the day. His manner to young men, I have been told by those who had occasion to carry some message to him at his office, was kind and courteous, though his habits of command and incisiveness were also apparent.

In his family he was extremely kind and indulgent, always anxious to have some of his children visit him during his exile at Washington, when they would have a great frolic. He was very fond of society and of conversation, and frequently sought the society of bright women as a change from the great number of men he saw in public affairs. Thus I find that at Washington he was always a constant and a welcome visitor at the households

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of several of the leaders of society, and it was apparently his habit to dine with some one of them on Sundays. His letters show that the gentleness and absence of strife he found in these homes afforded a delightful relief to him from the endless struggle of political affairs. While at home, too, he was fond of having some guest—probably a friend of his children—added to the family circle to enliven the household by an interchange of opinions. He corresponded frequently with different members of his family during the sessions of Congress, and was thus kept conversant with all the family news, while he gave in return much news, political and social, from Washington, as well as occasionally very good advice. Thus in one instance, when he seems to have disapproved of some expense incurred by one of his family, he wrote, “Pay as you go is the scripture of economy, and, when you can’t pay, don’t buy, but wait till you can.”

It is not to be wondered at that he was always welcome at dinners and in society generally, for his nature was very bright and cheerful, and he had in a high degree the faculty of interesting his hearers. Some of his older grandchildren can remember this, and Mrs. Maury wrote that he was the delight of every dinner-party. This lady was an Englishwoman, the wife of the son of a former American consul in Liverpool. She came to

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America with one of her sons for her health, and was intimate with many of the leading public men in Washington,—with Mr. Ingersoll more than with others. She called him her guardian, and the pages of her "Statesmen of America in 1846" show how much she admired him and enjoyed his buoyant spirits and many bright sayings. Judge Sharswood, speaking of Mr. Ingersoll in society, writes,—

"He was a free and attractive conversationalist, and one could rarely leave a company of which he had been a part, without carrying with him something well thought or said by him. An ex-President of the United States [doubtless Mr. Buchanan], who had represented this country at two foreign courts, and who largely cultivated the society of distinguished men at home and abroad, used to say that, when in the vein, Mr. Ingersoll was the most agreeable man he had ever met at a dinner-table."

His outspokenness and the free expression of his opinions led some to look upon him as very radical and extreme, and his occasional fierce encounters with political opponents have made a few think him vindictive; but no greater mistake could be made. His whole life shows sufficiently that such passions were far from him, and it will be enough to quote the following from Mrs. Maury:

"He is curious in seeking the motives of men, and has frequently given me the key of the characters of those around us with much acuteness and felicity; and I have

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ever found him inclined to praise rather than to censure. He has no secrets, and can keep none ; the only error of his nature being an uncontrollable impulse to utter at once, regardless of time and place, the thing he feels, or knows, or even suspects. If this excess of candour sometimes leads him beyond the bounds of caution, it displays also the most noble and most generous sentiments that can animate the breast of man ; open to conviction, ready to acknowledge an indiscretion, and earnest to ask as he is happy to grant forgiveness, his character exhibits all the warm uncalculating sensibilities of youth. . . . Headlong and rash, *et brave comme son épée*, three score years and three have failed to cool that hot impetuous blood, which dances rather than flows in his veins ; but again, a silken cord can lead him ; can check his haste and curb his anger ; and induce him to feel and practise the magnanimity of forbearance. To me he accorded his constant, unreserved, and most intimate confidence ; and I declare, and solemnly as I hope for mercy, that the breast of Ingersoll is guiltless of all wilful malice, and free from all vindictive passions ; but happier would he be had he more cunning to be more discreet. This much I trust he will permit from me, in all the sincerity of affection and respect. So gentle, so easily affected is he, that I have sometimes invented a pathetic story that I might see my Guardian weep ; and on a public occasion, one of the most interesting of my life [a dinner given her by the ladies at Washington], the emotion which he who sat at my side displayed, was among the most touching events of that proud and happy day."

Mr. Ingersoll appears to have been in the habit of often going to church, but made a point of going

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where he would hear an able sermon, and did not confine himself to attendance upon any special denomination. His father had been a Presbyterian, and I think he was one for many years of his life. Mrs. Maury says that he was a Presbyterian at the time of her acquaintance, but he later joined the Episcopal Church. Judge Sharswood says, "He was a sincere and firm believer in the truth of Christianity, without the slightest taint of bigotry or fanaticism, and attached to the forms and worship of the Protestant Episcopal Church, in the communion of which he died."

He was very liberal, knew and admired a good many Roman Catholic prelates, and seems to have been in the habit of dining occasionally with the Jesuits at Georgetown College. In the House once he attacked Mr. Levin, the Native-American member from Philadelphia, for making an appeal to religious prejudices, and offered to take him to Georgetown and introduce him to the Jesuits there,—“men,” he said, “who have maintained the standing of that institution for these fifty or sixty years past, while, during that same period, bishop after bishop of the Protestant churches has been convicted of inebriety and promiscuous amours, and been degraded for the grossest vices. For fifty years, those Jesuit fathers have been disseminating the doctrines of human freedom, as well as the treasures of science, to the youth of America, and

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not an instance has occurred of anything to their dishonor."

Mr. Ingersoll was an ardent believer in his country, whose stupendous strides he had witnessed in his own lifetime. He thought that her future was to be great and her influence on the world enormous; and this influence was not, I judge, in his estimation destined to be confined to indirect results from the spread of our principles of government, but was to be to some extent direct. I think he believed in our exercising a wider sphere as one of the powerful nations of the world than we have done, and at several times in his life, when he thought foreign nations showed an inclination to interfere with us, he was up in arms at once. I know of no instance where he desired to intermingle in European affairs or to enter into any entangling alliances, and I find him writing Mr. Gilpin in November, 1838, to express the hope that in the forthcoming message of the President "American position will be taken against England as to Canada,—not brigand patriotism, but true American." He undoubtedly believed that this continent should be ours,—not that it should be united under one head, but that we should be the one great power and should not allow any other to gain the least foothold. For this purpose he would have faced war at any day.

I do not think that he can be classed as a strict

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constructionist: on the contrary, he would most likely have convinced himself that the constitution conferred the power he wanted. In a contemporary sketch of him, which probably passed through his hands before publication, I find quoted with apparent approval a saying attributed to Monroe during the Second War, "After the war we'll think of constitutional points."

Of the fitness of the people, the uneducated and very poor as well as the well-to-do and the learned, to participate in government he was absolutely convinced; and he of course extended this to those who could not read or write. It was his opinion that the decision of a large number of human beings is much more likely to be right than that of a few, and he doubtless believed that universal suffrage is useful in giving a broad foundation to the expression of the popular will and tending to cancel and annul any ill effects from the selfishness of classes. He held, I think, that no human being can foresee more than a very short distance, and that the difference in this respect between the learned and the unlearned comes to extremely little in the smallness of any human knowledge. He often remarked on this point how quickly in times of popular upheaval, when the vested advantages of the upper classes are reduced to a minimum, the lowly born rapidly take the lead and crowd aside the weaklings of luxury.

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"Yes, sir," he said⁶⁹ once in the House, "when the combined arms of Europe invaded unarmed France, the militia, the common people, who elected, at the drum-head, cobblers and tinkers and ostlers to command them, went forth to battle against the princes and nobles who led well-trained armies to expected conquest, and drove them back into nearly every capital of Europe, which they captured."

Though he would at times approve of the most active steps for the repression of tumult,—as apparently in the case of the Philadelphia riots of 1844 and notably in Jackson's conduct of affairs in New Orleans and in Florida,—yet he had none of that deep dread of the "mob" which many have. I have been told that once, in a speech, he described the United States as "a nation born of a Boston mob," and on another occasion in an argument of a law case he said that he would put himself at the head of a mob to accomplish the purpose intended by the act of Assembly under consideration.

Another informant told me that he was present at an excited discussion between Mr. Ingersoll and Mr. Dallas and Mr. Richard Rush. Mr. Ingersoll had expressed his admiration for the French, while the others disparaged them and preferred the English: when they complained that the French always act hastily and on impulse, Mr. Ingersoll replied that "an ounce of impulse is worth a ton

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of second thoughts." As the warmth of the discussion increased, they drifted on to the French Revolution, for which Mr. Ingersoll expressed his admiration, saying that revolutions are good things occasionally: "they are like thunder-gusts, to clear the atmosphere." This was awful to the others, who spoke of the "mob," and asked what he would do to stop it. "Nothing," he replied, "nothing. I would put myself at the head of it and lead it."

The admiration for the French which he expressed in this discussion was a feeling which he had throughout his whole life. Originating apparently during his visit to Paris as a young man, and afterwards a very natural growth from the lines of political division existing during the long struggle between France and England for supremacy, the feeling never waned, and he always took the deepest interest in matters of French history and particularly of the time of Bonaparte. In his "History of the Second War" quite a large space is devoted to French history of that time, and in 1830, in an article in the *American Quarterly Review* upon Bourrienne and Napoleon, he showed how these subjects had always interested him. This article appeared just about the time of the Revolution of 1830, and, as written by its author, had foretold the downfall of Charles X., but unfortunately Mr. Walsh, more or less with Mr. Inger-

soll's authorization to curtail, cut out exactly this prophetic part. This was of course a lamentable misadventure to a man in public affairs, and became the subject of a warm attack upon Mr. Walsh in the Philadelphia *Inquirer*, with which Mr. Ingersoll had nothing to do.

When Joseph Bonaparte came to live near Philadelphia, Mr. Ingersoll early made his acquaintance, and the acquaintance soon developed into a friendship from which both evidently derived much pleasure. They often saw each other on the most confidential terms, and Mr. Ingersoll was a frequent guest at Point Breeze, where he met also Marshal Grouchy, Generals Clausel, Bernard, Charles and Henry Lallemand, Lefebvre Desnouettes, and Vandamme, and other exiled French army officers, besides Regnault de St.-Jean d'Angély, Count Réal the prefect of police, and sons of Fouché and of Marshals Lannes and Ney. With the ex-king of Spain and with these persons, all of whom had been actors and some of whom had taken vastly important parts in the stupendous drama of then recent history, Mr. Ingersoll had many conversations upon the great events and the great personages of the time, and derived from them an insight into history which can be gained only in some such way. It was, as he wrote, "reading history, biography, politics, and philosophy in their most attractive pages," and it was the history of a

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time in which he took the most intense interest. He formed a plan, with Joseph's knowledge and hearty approval, of writing a history of the rise and fall of Bonaparte, but it was only partly executed in some of the chapters of the "Second War."

Joseph Bonaparte always watched events in France with much care, feeling himself in a sense the head of the Bonaparte family and bound to look after the interests of the young Duke of Reichstadt, the son and legitimate successor of the great Emperor. A diary of Mr. Ingersoll's shows that Joseph had agents in Paris, Vienna, and other capitals, who kept him regularly informed of public sentiment in Europe. And when the Revolution of July, 1830, came, Mr. Ingersoll was in frequent confidential communication with him, advising as to the best course to pursue, as well as writing some letters to the public papers (especially the *Sentinel*) at his instigation, and translating several of the ex-king of Spain's letters for publication in this country. He had at one time offered to go to Europe on his behalf, and in September of 1830 Joseph asked him to allow one of his sons to go to Vienna to communicate with the Duke of Reichstadt or his mother, but the plan was abandoned upon the proclamation of Louis Philippe as king. Mr. Ingersoll was also consulted as to Joseph's letter on behalf of the Duke of Reichstadt and the Napoleon family to the French Chamber of Deputies and his other

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letters to leading governmental people at that time; but the arrival some months later of the stale news that the Chamber of Deputies was dissolved, and other difficulties experienced by the ex-king in dealing with his plans at such a distance, led to the decision that he must himself return to Europe and be nearer the scene of action. With his departure there came to an end what had been a very delightful acquaintance⁷⁰ to Mr. Ingersoll. In much later years he was sent for by some of the Bonaparte family who visited this country. Joseph Bonaparte left him by will a beautiful statuette of General Bonaparte of the time of the Italian campaigns, which is preserved by a grandson.

Mr. Ingersoll's views upon many special questions and upon many of his contemporaries have appeared in the course of this book, but something more needs to be said upon a few subjects. Of Mr. McDuffie he wrote in 1844, describing him as "a strange isolated sort of man, great talents, but a mere politician, yet no party man, with a bullet sticking to his spine, which no surgery can remove and which makes him very rickety and poorly." At one time of his life, in 1823, he already foresaw⁷¹ that Latin and Greek were losing their pre-eminence as means of education; but I judge that he modified this opinion later, for I find him writing to Mrs. Maury and expressing his agreement with her "upon the superior use and value

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of the classics in the formation of mind and character." He had also as a young man been strongly in favor of removing the capital from Washington to Philadelphia or some other important city, and thought the plan easy of attainment, but came later to change this opinion altogether.

He seems to have been active in obtaining certain legislation, which has been much criticised, but has held its place and even been widely extended. When in the Legislature in 1830 he introduced⁷² a bill "for the security of mechanics, journeymen, laborers, and others," which was later passed, and was the first general law in the State upon its subject. He also introduced a resolution looking to the abolition of imprisonment for debt in cases under one hundred dollars.

From early youth all through his life he was an earnest advocate of a liberal law of nations, and particularly of the doctrine of free ships, free goods. The travesty upon international law which was carried on with a high hand by the great powers during the Napoleonic wars found in him an uncompromising opponent. He took his stand upon the general subject in 1808 in "Rights and Wrongs," denouncing paper blockades and impressment, and asserting his conviction that the world would come in time to maintain the immunity of all private property in war on the ocean, as it already had done on the land.

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"If," said he, "a concert with Russia, France, Holland, and Spain, all of whom with Denmark must desire it, could be effectuated for freeing the ocean of privateers and search ships, and directing by common agreement the operations of war against ships of war, leaving the merchantman to the peaceable pursuit of his traffic, and if such a system could be secured without our being drawn into hostilities, it certainly were a consummation devoutly to be wished."

On the floor of the House during the War of 1812, as has been seen, he urged this same policy, but his very moderate claims met with unqualified denunciation and ridicule from the Federalists and found scant approval from his own party, though we were then actually engaged in a war for their maintenance. In July, 1814, he wrote to Mr. Madison expressing wonder at this opposition, and stating that his position had been that it was "the right and interest of this country to assert and maintain the principle that free ships make free goods, not as a point to wage war for *per se*, but as one which it behooved us never to lose sight of. I remember with pleasure," he went on, "that I once heard you assert this principle, but in Congress and in the Supreme Court I am sorry to say that it was almost friendless. Such is the influence of England! We read none but English books, adopt none but English ideas of law and

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politics." Mr. Madison replied that Mr. Jefferson had rather taken the other view in his correspondence with Genet, but that he himself thought the principle good and desirable, and that unarmed vessels, like ploughs, ought not to be molested.

In 1824, upon disputes on kindred subjects arising during the revolts of the Spanish colonies, Mr. Ingersoll wrote⁷³ to Mr. Adams, then Secretary of State, proposing that "we should proclaim and enforce a new and liberal American law of nations, and particularly that free ships should make free goods." Mr. Adams, whose opinions evidently inclined the same way, read this letter at a meeting of the Cabinet, but it was determined not to resort to force at that time, and the point in dispute was apparently settled in some more quiet way. Finally, in his "Law of Foreign Missions," in 1845, Mr. Ingersoll again advocated the same views, and wrote that it had long been among his fondest fancies that it was a part of American destiny thus to ameliorate the law of nations.

If the views he held upon this subject have not yet been all adopted by the world, at least a very large part of them has, and the tendency of the leading nations has been decidedly towards all those principles upon the subject, which he began to advocate at a time when the majority of the leading men even of his own country were against

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him, and when many thought his ideas merely chimerical.

During the thirteen years which elapsed between Mr. Ingersoll's retirement from Congress and his death he rarely took any active part in the public affairs of the day. He was once at a bar meeting, and possibly in court on a few other occasions, and he continued to watch the course of events with deep interest, but his main occupation was literary work. He had many years before, as early as 1817, formed the plan of writing a history of the War of 1812, and he seems to have begun then to collect materials for this purpose, but the pressure of his work at the bar and other causes delayed the book, and the first volume appeared only in 1845, the second in 1849, and the two last in 1852. I think he worked at it often in leisure hours during the sessions of Congress, and he devoted to it a vast deal of time and energy.

He called the book an "Historical Sketch of the Second War between the United States of America and Great Britain, declared by Act of Congress the 18th of June, 1812, and concluded by peace the 16th February, 1815." It is by no means a mere description of battles and campaigns, but aims to trace causes and show the history of the legislation of the time, and of course contains a great deal about the European history of the day. Later he wrote a volume of "Recollections," which was

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printed during his lifetime, but not issued until a good many years later. He had also begun histories of our acquisitions of Louisiana and Texas, and of the disputes over Oregon and the Maine boundary, but these were all left by him unfinished. I have used them to some extent in this book.

In 1843 he had read before the Law Academy of Philadelphia an address on the "Law of Foreign Missions," which was printed in the *Public Ledger* of October 25, 1843, and also in the *American Law Magazine* for January, 1845. It was the result of a close study of a great many authors, and involved a vast deal of labor. At some much earlier period—at least as early as 1829, but I have not been able to fix its date more closely—he had written "Julian, a Tragedy." This was, I think, never produced on the stage. It is in blank verse, and is founded on the story of the death of Julian the Apostate. The preface describes it as the work of "a very young essayist, who, discarding lovers and villains, attempted to develop ambition, patriotism, pride, remorse, and selfishness as the ruling passions, from whose indulgence to excess a moral always results in retributive justice." His other works have sufficiently appeared in the course of this sketch.

The style of Mr. Ingersoll's writings in his early days was perfectly clear, but that of his later works has been much criticised as being involved

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and difficult to follow. This is not the place to consider this question, and the works must speak for themselves. Style is very largely a matter of taste, and the involved style of Carlyle has been greatly admired by hosts of readers. Mr. Ingersoll was an admirer of Carlyle, and some have thought that this admiration led to his endeavoring to follow that writer's style. One who often saw him very intimately in his latter years has said in my hearing that he was usually to be found at his table, fairly walled in with a mass of books, and with his quill rushing over the paper at a high rate of speed. The manuscript works which have been in my hands show also that he changed his text in a large degree and frequently transferred portions of it. Adjectives and adjective clauses, and phrases to illustrate or to limit, have been in many instances interlined or inter-paged; and this seems to have been often done in review, as sometimes much the same idea is contained in a succeeding sentence of the original text. Whatever may be thought of the style, the works are all full of matter. Of many of the subjects treated the author had a most intimate knowledge from having taken part in them; and of all of them he had been a student and a close observer all his life, intimate with many and acquainted with all the figures on the stage of public life.

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Mr. Ingersoll was, as has been seen, for many years deeply impressed with the perils to the country incident to the slavery disputes, and as a part of his history of Texas he had to some extent examined the history of slavery in this country. About the time of the Presidential election of 1856, no doubt instigated by the heated contests upon the subject then raging and causing so much hostility between the sections, he enlarged and completed this sketch and published it after the election as a pamphlet, under the title "African Slavery in America." He of course adhered to the views he had always maintained, and aimed to avoid the fomentation of excitement. Its publication was probably intentionally delayed until after the election, and it began by saying that Pennsylvania was the meridian, and "an aged descendant from New England, withdrawn from party politics," was not an improper person to submit to the whole country a temperate view of the matter.

That slavery was an evil was to him clear, nor did he hesitate, either in this pamphlet or while he was in public life, to announce this view and to refer to the strange result of the abolition excitement upon the South in driving it to defend slavery as a beneficial institution. But his view was that it was an established and existing fact, which could not be suddenly uprooted except by evils far worse than slavery itself. The abolition movement was

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in his opinion harmful, and served only to prevent or delay the attainment of freedom for the negroes. He always pointed to the early act for gradual abolition in Pennsylvania as a model, which deserved to be followed, and which might already have been followed in the South but for the agitation against slavery and the South's consequent rebound from some tendency towards abolition to an angry denunciation of all criticism or even reference to slavery.

Neither he nor any other human being foresaw the tremendous events of the next decade, but he does seem to have pretty well realized the impossibility of disunion without war, and in another writing of about the same date, he wrote, "In the Southern States, continual provocation from the East begot an unwise belief that dismemberment of the Union may be peaceably effected and would be better than the present confederacy with fellow-citizens unceasingly striking at their possessions and vilifying their characters."

The agitation continued and grew even far more violent during the four years of Mr. Buchanan's term, but until the outbreak of the secession movement Mr. Ingersoll must have remained a supporter in the main of his administration. I believe that during the campaign of 1860 he wrote a letter to one of the public papers, urging the support of Mr. Breckenridge, but this is the last public act of

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his I have heard of. When the crash of secession finally came, he was a very old man, and but little has reached me to show his opinions. One informant has told me that he expressed approval of Mr. Lincoln's call for volunteers, and said something to the effect that it was the best thing done yet. And another person tells me that as he lamented to Mr. Ingersoll in the street one day upon the dangers hanging over the country, Mr. Ingersoll replied in the deepest grief, and added that he was a very old man and off the stage of life, could hardly expect even to live to see the end of the contest, but that the South had thrown down the gauntlet, and the North could not do otherwise than take it up and fight for the territorial integrity of the country. But there was coupled with his support of the war the strongest disapproval of the violent and ultra measures of the administration.

These expressions of opinion are all that I have been able to secure, but they are directly in the line which my study of his views would lead me to expect. Deeply impressed as he was with the incalculable value of the Union, he would, I think, have strongly supported a war to maintain it; and no argument of want of constitutional power would have carried any weight with him upon an issue involving its preservation. With the period of his own life covering the whole life of the constitution

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of his country, brought up by his father to admire and revere the instrument the father had aided in framing, and himself ever an ardent supporter of all the measures which made its glory and were possible only in union, he must have stood aghast to see in his old age the whole fabric shaking in the utter uncertainty of a desperate civil war. All that he had believed in and contested for was in danger; the Union was broken, the constitution was in effect suspended or ignored except as a mere frame of government, and the two sections of the country, which he had striven for years to induce to live in peace, were soon struggling to ruin each other in the throes of a furious civil war. Instead of commerce and fraternity, war and desolation held the land in their grasp, and vast armed hosts of his countrymen were hurling themselves upon one another.

In the fury of the passions of that day, when young men felt that their whole future was at stake, and when all the energies of the country were bent to the settlement of one great question, there was no time for sentimental sorrow or to think of the position of old men out of active life; but the deep pathos of the position of Mr. Ingersoll and others of his political beliefs and time of life can hardly be overstated. They had outlived their time, and were left powerless and hopeless, while their country was struggling in the agony of

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a mighty change, of the outcome of which no one could foresee anything unless that it must cut entirely adrift from all the main beliefs and principles which had seemed essential to them. Those of them were fortunate who died before the long-threatened secession became a fact, and to those who as old men survived to that period their years must indeed have been a burden and a sorrow. They were reserved to endure the painful experience which one of the very greatest of the orators and intellects of America had earnestly hoped might not be his. They *were* hanging over the precipice of disunion, and with their short human sight they could not fathom the depth of the abyss below. When their eyes were turned for the last time to behold the sun in heaven, they *did* see him shining on the broken, if not dishonored, fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds and drenched in fraternal blood.

Mr. Ingersoll died on the 14th of May, 1862, of an inflammation of the lungs. He was within five months of eighty years of age. His wife died on the 28th of August of the same year. They had had eight children, six sons and two daughters, all of whom survived them except two sons and one daughter.

TABLE OF REFERENCES.

1. Page 14. The Ingersoll genealogy is taken from facts kindly furnished me by G. Albert Lewis, Esq., and from The Ingersolls of Hampshire, by Charles S. Ripley.

2. Page 18. For facts in regard to Jared Ingersoll the elder, see Binney's Jared Ingersoll, in Leaders of the Old Bar, Simpson's Eminent Philadelphians, under Jared Ingersoll, Bancroft's History of the United States, Mahon's History of England, vol. v. pp. 86, 87, and Scharf and Westcott's History of Philadelphia. His letters from England are printed in Life and Times of William Samuel Johnson, by E. E. Beardsley.

3. Page 25. For Jared Ingersoll the younger, see Binney's Jared Ingersoll, Simpson's Eminent Philadelphians, Reed's Joseph Reed, Martin's Bench and Bar.

4. Page 36. The account of Mr. Ingersoll's boyhood and youth is taken from various writings of his, some in manuscript and partly from letters. The opinion upon Colonel Despard's case is from the Dictionary of National Biography.

5. Page 38. Number of October 7, 1805.

6. Page 40. This appointment is not mentioned in Martin's Bench and Bar, but is to be found noticed in the *Aurora* of November 16, 1805, and *Poulson's Daily Advertiser* of November 7, 1805; and an advertisement signed by him as clerk is to be found in the *Aurora* of August 16, 1808.

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7. Page 41. Upon the "would have been a Tory" story, see the *Democratic Press* of June 5, 8, 10, 15, 1807.

8. Page 45. Philadelphia Magazines and their Contributors, by A. H. Smyth, p. 13.

9. Page 47. The review of Inchiquin in the *Portfolio* is in the numbers for April and May, 1811 (v. 300, 385). The *Quarterly Review* article is in the number for January, 1814. That this article was written by Southey is suspected by J. K. Paulding in his reply to the article.

10. Page 51. For the toast to "our King in England," see Mr. Ingersoll's Second War, vol. ii. p. 47. Ames's expression in favor of "separate orders" is quoted in Randall's Jefferson, vol. i. p. 583; from works of Fisher Ames, by Seth Ames, vol. i. p. 324. The quotation from Morris is from a speech in the Convention of 1787, Elliot's Debates, vol. v. p. 271. The political orator quoted is John Binns in his "long talk" before the Tammany Society of Philadelphia on May 12, 1807; *Democratic Press* of May 15, 1807.

11. Page 54. The story of the feeling of the city aristocracy during the Snyder-Ross campaign is taken from Binns's Recollections, p. 210. Dr. Rush's warning to his son Richard appears from a letter of the latter to Dr. Rush in the Philadelphia Library. The story of Binns entering the bank directory is from his Recollections, pp. 260, 261.

12. Page 54. Recollections, p. 206. There was evidently some confusion in Binns's mind as to dates, but this is not material to the gist of the story.

13. Page 61. *Democratic Press* of March 4, 1811. The review is in the issue of February 1, 1811.

14. Page 63. This removal and appointment are not stated in Mr. Martin's Bench and Bar, but are to be found noticed in the *Democratic Press* of March 9, 1809.

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15. Page 71. Second War, vol. i. p. 363.
16. Page 73. I have not been able to find a copy of the *Democratic Press* of the dates in question, but the articles are repeatedly referred to in the letters of Mr. Rush.
17. Page 75. Annals of Congress (Thirteenth Congress), 1813-14, vol. i. pp. 352, 353.
18. Page 77. Annals of Congress (Thirteenth Congress), 1813-14, vol. iii. pp. 808-810.
19. Page 80. Number for February 22, 1814.
20. Page 81. Annals of Congress (Thirteenth Congress), 1813-14, vol. i. pp. 1421-1425.
21. Page 83. Annals of Congress (Thirteenth Congress), 1813-14, vol. iii. p. 812.
22. Page 84. Washington Letter in the *Democratic Press* of January 17, 1814, from "Tyro."
23. Page 85. For details of contest with Mr. Stockton, see Annals of Congress (Thirteenth Congress), 1813-14, vol. i. pp. 1002, 1005, 1015, 1016.
24. Page 86. History, vol. ii. p. 417, etc.
25. Page 88. Second War, vol. iv. p. 280.
26. Page 97. This account was published in the *Washington Globe* of August 12, 1836, and reprinted in the *Pennsylvanian*.
27. Page 104. I have not been able to ascertain to what this refers.
28. Page 139. This translation was published in Hall's Law Journal, vol. vi. pp. 153-276.
29. Page 141. I have not been able to verify this statement, but it is made both in the sketch of Mr. Ingersoll in the *Democratic Review* of October, 1839, vol. vi. pp. 339-354, and by Judge Sharswood in his obituary notice read before the American Philosophical Society. Bulwer was among Mr. Ingersoll's occasional correspondents.

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30. Page 144. The address on "Europe long ago" is printed in the *Democratic Review*, vol. v., January, 1839, pp. 61-75. The other addresses were all printed in pamphlet form, and are to be found in the Philadelphia Library, and doubtless in other places.

31. Page 149. Parton's Jackson, vol. ii. p. 257, from Epes Sargent's Life of Clay.

32. Page 153. A meagre report of its proceedings is to be found in Poulson's *Daily Advertiser* and in the *United States Gazette* for August, 1825. The fact as to Mr. Ingersoll's support of railroads is taken from the sketch of him in the *Democratic Review* of October, 1839.

33. Page 154. Its proceedings are reported in *Niles's Register*, 1827, vol. xxxii. p. 388, etc.

34. Page 165. This letter is to be found in the *Pennsylvanian* of June 29, 1837. Mr. Ingersoll kept carefully the papers and reports referring to his accounts as District Attorney, and had them all bound up. I do not see any need of giving references to them, as the charges are no longer of interest.

35. Page 171. Adams's Diary, vol. viii. p. 442.

36. Page 176. Second War, vol. ii. p. 269.

37. Page 177. Schouler's History, vol. iv. p. 72.

38. Page 183. This fact appears from a Diary, only a small portion of which has been preserved, in which are the following entries: "*Saturday 1 March*.—Called on Mr. N. Biddle and informed him as I said to him as a matter of feeling as well as propriety after our relations that I am about to take a public part against the bank.

"*Monday 3 March*.—Called again on Mr. Biddle—fearing on reflection that I might have been misunderstood by him on Saturday—and fully explained to him my opinions and views."

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39. Page 183. These facts are stated on the authority of manuscript copies of the resolutions, and of memoranda upon them, in Mr. Ingersoll's handwriting.

40. Page 184. The authority for these statements is the sketch in the *Democratic Review* for October, 1839.

41. Page 188. Diary of Mr. Ingersoll.

42. Page 188. Thirty Years' View, vol. ii. p. 305.

43. Page 189. This address was printed in the *Pennsylvanian* of July 29, 1835, and was reprinted in the *Washington Globe* of August 12, 1835.

44. Page 195. These resolutions are contained in newspaper clippings preserved by Mr. Ingersoll, in a book kept for the purpose. I think they are from the *Pennsylvanian*, and doubtless they were printed in other papers also.

45. Page 196. A copy of this opinion is in my possession in a pamphlet entitled "Opinion of the Hon. John Fox, President Judge of the Judicial District composed of the Counties of Bucks and Montgomery, against the Exercise of Negro Suffrage in Pennsylvania ; also the Vote of the Members of the Pennsylvania Convention on the Motion of Mr. Martin to insert the Word 'White' as one of the proposed Amendments to the Constitution. Harrisburg, 1838."

46. Page 214. My authorities for the statements in the text upon this subject are newspaper clippings preserved by Mr. Ingersoll. They are from various papers, among others the *United States Gazette* of December 8 and 10, 1838, and of February 14, 1839, and the *Natchez Free Trader* of August 12, 1839. Mr. John Ingersoll's answer to the denial of his agency is dated December 19, 1838, and is from some newspaper, but I cannot discover what one. I presume the controversy was reprinted in the

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Philadelphia newspapers. See also Benton's *Thirty Years' View*, vol. ii. p. 368.

47. Page 224. See Act of 25th of March, 1843, P. L. 115. The earlier apportionment was under the Act of 9th June, 1832, P. L. p. 560.

48. Page 228. Mr. Ingersoll's letter was dated September 13, 1841, and was printed in the *Globe* and reprinted into other papers. The review was in the *Washington National Intelligencer* of September 30, 1841.

49. Page 230. He so states in his "African Slavery in America," p. 17.

50. Page 231. So Mr. Ingersoll stated in debate in the Pennsylvania Constitutional Convention of 1837, vol. vii. p. 90.

51. Page 235. For the quotation from Mr. Adams, see *Congressional Globe* (Twenty-Eighth Congress), First Session, p. 194 ; for William Lloyd Garrison's opinion, see Wilson's *Slave Power*, vol. i. p. 569, 570, and see also p. 644, and vol. ii. p. 107 ; for James Wilson, *ibid.*, vol. ii. p. 207 ; Horace Mann, *ibid.*, vol. ii. p. 227 ; Samuel May, *ibid.*, vol. ii. p. 154 ; Henry Wilson, *ibid.*, vol. i. p. 637, and see vol. ii. p. 116 ; Wendell Phillips, *ibid.*, vol. i. pp. 479, 569, and see p. 644, and vol. ii. p. 56 ; for the fact as to the rejected professor at Harvard, *ibid.*, vol. ii. p. 444 ; for the address to the Legislature of Massachusetts, *ibid.*, vol. ii. pp. 424, 444 ; von Holst's *History*, vol. v. (1854-56) p. 62 ; for the opposition *vi et armis*, Wilson's *Slave Power*, vol. ii. pp. 325-327 ; for the Massachusetts laws against the law of 1793, Curtis's *Webster*, vol. ii. p. 386, and see pp. 424, 427 ; for the Boston resolutions of 1850, Curtis's *Webster*, vol. ii. p. 489 ; for the resolutions of the American and New England anti-slavery societies, Wilson's *Slave Power*, vol. i. p. 571, 572 ; for the resolutions of the two State societies,

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Curtis's Webster, vol. ii. pp. 399, 400 ; for Henry Wilson's statement that a class of abolitionists agreed with Garrison, Slave Power, vol. i. p. 470 ; and for his evidence of their general hatred of the Union, *ibid.*, vol. i. pp. 568-575, vol. ii. pp. 107, 116, 207, 332, 695, and see also von Holst's History, vol. v. (1854-56) p. 215, note, and vol. ii. (1828-46) p. 630, and Ticknor's Life and Letters, vol. ii. p. 349.

52. Page 236. For Webster's opinion, Curtis's Webster, vol. ii. p. 427 ; for Raymond's, von Holst's History, vol. v. (1854-56), foot-note, p. 68.

53. Page 236. History, vol. iv. p. 423.

54. Page 246. *Congressional Globe* (Twenty-Seventh Congress), First Session, Appendix, pp. 69-75.

55. Page 247. *Congressional Globe* (Twenty-Seventh Congress), Second Session, pp. 644, 645.

56. Page 249. New York *Herald* of January 29, 1843.

57. Page 255. For the facts cited in regard to Texas, see von Holst's History of the United States, vol. ii. (1828-46) pp. 552-569, 586, 587 ; see also Schouler's History, vol. iv. pp. 247, 303.

58. Page 256. Schouler's article on "President Polk's administration," in *Atlantic Monthly* for September, 1895, pp. 375, 376 ; see also August number, pp. 235-243.

59. Page 259. The original of these memoranda has been lost, but Mr. Ingersoll quoted at some length from them in his sketch of Texas. My citations are from this source, and contain everything of any importance from them.

60. Page 270. See his speech in Appendix to *Congressional Globe* (Twenty-Ninth Congress), Second Session, p. 128.

61. Page 271. This is stated on the authority of a letter

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from Mr. Ingersoll to Mr. Gilpin, dated January 9, 1846, remarking how odd it was that he should be placed over committees against him both on Texas and on Oregon, and adding that the resolution lately reported (January 5) was a "come by chance."

62. Page 271. Speech in Appendix to *Congressional Globe* (Twenty-Ninth Congress), First Session, p. 285.

63. Page 272. Speech in Appendix to *Congressional Globe* (Twenty-Ninth Congress), First Session, p. 99.

64. Page 277. Dr. Wharton (International Law Digest, second edition, § 21, pp. 67-69) doubts whether it is possible to admit to its full extent the principle that we cannot subject to our municipal laws aliens who violate those laws under direction of their sovereign. And he refers to Greville (Memoirs : Reign of Queen Victoria, vol. i. p. 334, *sub* March 12, 1841), to show that Senior and Lord Lyndhurst doubted very much the soundness of the English contention. The great authors on international law seem to have been quoted on both sides.

65. Page 277. Speech in *Congressional Globe* (Twenty-Ninth Congress), First Session, p. 642.

66. Page 278. His two speeches are in *Congressional Globe* (Twenty-Seventh Congress), First Session, p. 75, and *ibid.* (Twenty-Ninth Congress), First Session, p. 344.

67. Page 286. Curtis's Webster, vol. ii. pp. 279-281.

68. Page 288. Von Holst's United States, vol. iii. (1846-50) p. 502, foot-note ; in Memoriam B. O. Tayloe, p. 109. See also J. Q. Adams's Diary, vol. xi. p. 249, and vol. xii. p. 214.

69. Page 319. *Congressional Globe* (Twenty-Seventh Congress), Second Session, Appendix, p. 306.

70. Page 323. The facts in regard to Joseph Bonaparte are taken from a diary of Mr. Ingersoll, from private let-

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ters, from the Second War, and from Georges Bertin's *Joseph Bonaparte en Amérique*.

71. Page 323. *His Influence of America on the Mind*, p. 13.

72. Page 324. *Journal of House of Representatives*, February 14, 1831, p. 342; see also *ibid.*, pp. 349, 357, 474, 482, 501, 528; see *ibid.*, p. 27, for his resolution in regard to imprisonment for debt.

73. Page 326. *Diary of J. Q. Adams*, vol. vi. p. 384.

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